

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK**

DREW DIXON,

Plaintiff,

Index No.:

**COMPLAINT**

v.

RUSSELL WENDELL SIMMONS,

Defendant.

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**COMPLAINT**

Plaintiff Drew Dixon, by and through her undersigned counsel, makes the following allegations against Defendant Russell Wendell Simmons, upon personal knowledge as to her own acts and status and upon information and belief as to all other matters:

**INTRODUCTION**

1. This suit arises out of Russell Simmons's defamatory statements against Drew Dixon. As described below, Mr. Simmons, a rich and powerful music producer, business mogul, and celebrity, sexually assaulted and harassed Ms. Dixon while she was employed at his record label. On or about December 6, 2023, Mr. Simmons subjected Ms. Dixon to public ridicule, contempt, and disgrace by, among other things, calling Ms. Dixon a liar in published statements with the malicious intent of discrediting and further damaging Ms. Dixon worldwide. Upon information and belief, Mr. Simmons has continued this pattern of defamation, sharing these same false sentiments with third parties as late as the end of January 2024.

## **PARTIES, JURISDICTION, AND VENUE**

2. Plaintiff Drew Dixon is domiciled in Brooklyn, New York.

3. Defendant Russell Wendell Simmons is domiciled in New York, New York.

4. This Court has jurisdiction over this matter as Mr. Simmons is domiciled in New York, and this action arose, and defamatory statements were made, within New York.

5. Venue is proper in this Court as the cause of action arose within the jurisdiction of this Court.

## **FACTUAL ALLEGATIONS**

### **A. Background & Mr. Simmons's Sexual Assault on Ms. Dixon**

6. Ms. Dixon is a producer, writer, activist, entrepreneur, and former A&R executive, who conceived "I'll Be There For You - You're All I Need" (Method Man f. Mary J. Blige), Executive Produced "The Show Soundtrack" and spearheaded the recording of iconic songs like "American Boy" (Estelle f. Kanye West), "My Love Is Your Love" (Whitney Houston), "Maria Maria" (Carlos Santana), "A Rose Is Still A Rose" (Aretha Franklin), "Nobody's Supposed To Be Here" (Deborah Cox) and many more.

7. In 1994, when she was 23 years old, Ms. Dixon began working her dream job as Director of A&R at Def Jam Records. But Ms. Dixon soon became the victim of persistent, nightmarish sexual harassment that culminated in a violent sexual assault by the man she once admired and to whom she reported directly: music mogul Russell Simmons, her boss.

8. Mr. Simmons is a music producer, artist manager, entrepreneur, and co-founder of the pioneering hip hop music label Def Jam Records now owned by Universal Group Music. Mr. Simmons is a music producer and co-founder of the pioneering hip hop music label Def Jam Records now owned by Universal Group Music. Considered by many to be the "king of hip hop,"

Mr. Simmons made Def Jam the defining rap label of its era.<sup>1</sup> Even after Mr. Simmons sold his stake in Def Jam for a reported \$100 million in 1999, he emerged as a de facto ambassador of hip hop through his ventures in comedy (Def Comedy Jam), film (The Nutty Professor; How To Be A Player) apparel (Phat Farm; Baby Phat), poetry (Def Poetry Jam), finance (RushCard), digital media (Global Grind; All Def Digital), wellness guru (Tantris Yoga Studios; author of five self-help books), and activism (Hip Hop Summit Action Network).<sup>2</sup> His net worth is estimated to be approximately \$340 million.

9. Sexual exploitation and the power imbalance between women and men are pervasive in the entertainment industry and hip hop has not been immune to this blight on our American culture. Mr. Simmons fostered a chaotic workplace environment where he thrived on the sexual exploitation of individuals who were dependent on access to his opinion and approval in order to perform their jobs and succeed in their careers. At the time of the assault, Mr. Simmons did not maintain an office at Def Jam or at Rush Communications. All meetings with him took place in his car, in his apartment, or in restaurants and other spontaneous locations arranged by Mr. Simmons at his whim. Mr. Simmons was a well-established gatekeeper, perhaps the most powerful gatekeeper in hip hop in the 1990s, who abused his position of power to exploit women whose careers and livelihoods were in his hands. The male gatekeepers in the hip hop music industry were all closely connected personally and professionally, so any report of sexual assault or harassment would be career ending for a gifted young artist or a talented young executive

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<sup>1</sup> Joe Coscarelli and Melena Ryzik, *Music Mogul Russell Simmons Is Accused of Rape by Women*, New York Times (Dec. 13, 2017), <https://www.nytimes.com/2017/12/13/arts/music/russell-simmons-rape.html>.

<sup>2</sup> See Rush Communications – History, <https://rushcommunications.com/history/>.

pursuing a career in the industry. Thus, many victims remained quiet. Some even to this day in fear of career ending retribution.

10. Ms. Dixon is one of many women who while pursuing a career in the music industry was disrupted, derailed, and damaged for the rest of her life as a result of her horrible experiences at the hands of Mr. Simmons.

11. Mr. Simmons's sexual advances towards Ms. Dixon started right away when she became employed at Def Jam. Over time, the nature of his advances became more explicit. Verbal overtures that she deflected escalated to unwanted physical contact. The pressure became relentless, but Ms. Dixon was determined to succeed at this job. She developed strategies to deflect his advances while maintaining a rapport in order to get the approvals she needed to pursue the creative ideas associated with her position as an A&R executive. She believed at the time that if she successfully delivered a hit record that Mr. Simmons would realize that she was a valuable colleague to be treated with professional respect. She also believed that a credit on a hit record would open doors to an A&R job at another company. After two internships at different record companies, a job as a receptionist at an artist management company, and a job as a junior executive as a music publishing executive, Ms. Dixon did not want to leave Def Jam without proof that she was capable of delivering a hit record, so she tried to walk a tight rope where she had enough access to Mr. Simmons to get the green-light on her ideas while maintaining distance to avoid his harassment. He routinely attempted to grope her and kiss her, undeterred by Ms. Dixon's rejections. One time, Mr. Simmons forcibly pushed Ms. Dixon into a broom closet at a restaurant and tried to forcibly kiss her. Another time, at a staff meeting Mr. Simmons asked her to come sit on his lap. Mr. Simmons also regularly exposed his erect penis to Ms. Dixon and talked about how much she turned him on. He would at times apologize for inappropriate behavior and have

interactions with her that were completely appropriate. The outbursts were unpredictable, and Ms. Dixon employed many strategies for trying to manage her working relationship with Mr. Simmons.

12. One night in New York, in 1995, Ms. Dixon ran into Mr. Simmons on the street on her way to get money for a cab from an ATM. Mr. Simmons flagged her down from across the street and urged her to cross the street to speak with him. When she explained that she was on her way to get cash for a cab, he insisted on ordering her a car and complimented her for having the number one R&B album in the country, *The Show: The Soundtrack*. Ms. Dixon heard Mr. Simmons call his assistant on his cell phone to ask her to order Ms. Dixon a car. When he ended the phone call with his assistant, Mr. Simmons asked Ms. Dixon to come upstairs with him to listen to a new demo that he had just heard. Because of the harassment, Ms. Dixon was wary about listening to the CD with him in his apartment so she asked if she could take the demo home with her and listen on her own. Mr. Simmons agreed but told her to come upstairs so he could give it to her because he had to use the bathroom. When they got out of the elevator, Mr. Simmons indicated that he had to use the restroom badly so he walked away from her while yelling directions to the CD player where he said she would find the demo. Ms. Dixon relaxed when Mr. Simmons left her alone and followed his instructions to find the room with the stereo system, where Mr. Simmons had informed her she would find the demo still in the machine. When Ms. Dixon opened the CD tray, it was empty. Moments later Mr. Simmons grabbed Ms. Dixon from behind. He was naked except for a condom. He proceeded to pin her down on the bed and violently rape her.

13. After the assault, Ms. Dixon was horrified and traumatized. When she reached home, she turned on her shower and lay down in the bathtub fully clothed and began to cry. Her friend, who was staying with her, came into the bathroom to find out what was wrong. Ms. Dixon immediately told her friend that Mr. Simmons had raped her. She also told other friends about the

assault, several of whom were already aware of Mr. Simmons's continuous pattern of sexual harassment against her. She did not report to the police out of fear of retribution for telling on the "king of hip hop." After surviving the assault, but unable to continue to work in the same space with Mr. Simmons, Ms. Dixon submitted a handwritten letter of resignation and left Def Jam.

14. Ms. Dixon's horrific experience at the hands of Mr. Simmons is unfortunately just one of many. Over 20 women have accused Mr. Simmons of sexual harassment or assault.<sup>3</sup>

15. Several months after leaving Def Jam, Ms. Dixon steadied herself and started at Arista Records as an A&R executive under Clive Davis in 1996. There, she enjoyed more success, helping to orchestrate smash singles like Whitney Houston's "My Love Is Your Love," Aretha Franklin's "A Rose Is Still a Rose," and Santana's "Maria Maria." Despite having suffered at the hands of Russell Simmons, Ms. Dixon fought her way back into the industry, working tirelessly to make her mark as a consistently successful and uniquely gifted A&R executive.

16. Ms. Dixon hoped to move on with her career at Arista. But in 2000, L.A. Reid replaced Mr. Davis atop the label. Mr. Reid subjected Ms. Dixon to further abuse, subjecting her to constant sexual harassment, project sabotage, and retaliation, and eventually sexually assaulting her in 2001, causing her to leave Arista.

17. From 2001, when she attended Harvard Business School and graduated with honors in 2003, Ms. Dixon has struggled to find ways to navigate around the circles of influence of these two titans in her industry, Russell Simmons and L.A. Reid. As she has revealed in media

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<sup>3</sup> Sharon Lynn Pruitt, *Who Are The Many Women Who Have Accused Russell Simmons Of Sexual Misconduct?*, Oxygen (Jun. 15, 2020), <https://www.oxygen.com/true-crime-buzz/russell-simmons-accusers-who-are-they-and-what-are-their-stories>.

interviews, this has been a yeoman's task. Whenever she sought to fight her way back into the industry, the trauma from the assaults would resurface when she encountered the offenders or their enablers. Even still she managed to get a few projects off the ground, including "American Boy" with Estelle and Kanye West.

18. 2017 was a year of reckoning for sexual abusers and harassers whose power and wealth had previously shielded them from accountability. The #MeToo Movement exploded into a global phenomenon, and seemingly untouchable people in power suddenly found their past actions catching up with them.

19. In May of 2017, Sony and Epic Records parted ways with Mr. Reid after an assistant at Epic Records accused him of sexual misconduct.

20. In November 2017, Russell Simmons and filmmaker, Brett Ratner, were accused of teaming up to engage in sexual misconduct against model, Keri Claussen Khalighi.<sup>4</sup>

21. Also in November 2017, the award-winning screenwriter Jenny Lumet published a first-person account in the Hollywood Reporter of being violated in 1991 by Mr. Simmons. It was a watershed moment for Ms. Dixon, bringing to the fore a bundle of memories that she had worked hard to bury. Ms. Dixon appreciated that Ms. Khalighi's and Ms. Lumet's decisions to speak out against Mr. Simmons must have been an excruciating one.

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<sup>4</sup> Hilary Lewis, Russell Simmons and Brett Ratner Accused of Teaming Up to Engage in Sexual Misconduct, The Hollywood Reporter, <https://www.hollywoodreporter.com/news/generalnews/russell-simmons-brett-ratner-accused-teaming-up-engage-sexual-misconduct-1059839/> (Nov. 19, 2017).

22. On December 13, 2017, *The New York Times* published an extensive story on Mr. Simmons, which featured Ms. Dixon.<sup>5</sup> In each case described in the article, numerous friends and associates confirmed that they were told of the incidents at the time of the assaults several years prior.

23. In 2020, a documentary was released featuring Ms. Dixon as the main subject and several other survivors of Mr. Simmons, called *On the Record*, which is currently streaming on HBO Max.

24. After coming forward about the abuse she has suffered, Ms. Dixon has worked tirelessly to assist other victims and survivors of abuse. Doing so put her back in the crosshairs of her abusers' sphere of influence.

**B. Mr. Simmons's December 6, 2023, Interview**

25. In December 2023, Mr. Simmons continued a concerted and malicious campaign to discredit Ms. Dixon and to so damage her reputation that Ms. Dixon's factual reporting of what he did to her would not be credited.

26. On or about December 6, 2023, Mr. Simmons gave a public global interview with journalist Graham Bensinger for his podcast, *In Depth with Graham Besinger*. See YouTube, *Russell Simmons breaks silence on allegations* (Dec. 6, 2023), <https://www.youtube.com/watch?v=KjGTkXcGdLk>; see also YouTube, *Russell Simmons: Full Interview* (Dec. 11, 2023), <https://www.youtube.com/watch?v=XYT4QF86ZuM>.

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<sup>5</sup> See Joe Coscarelli and Melena Ryzik, *Music Mogul Russell Simmons Is Accused of Rape by 3 Women*, *The New York Times* (Dec. 13, 2017), <https://www.nytimes.com/2017/12/13/arts/music/russell-simmons-rape.html>.



27. In this interview, Mr. Simmons made the following public statements:
- a. **“If you slept with as many people as I slept with. Thousands. And we’re talking about six people.”**
  - b. **“But I can simply tell you that I was in so many compromising situations, that people can have a recollection from 30 or 40 years ago, and it can be different from my recollection. And it could be one where there was perhaps a collaboration. If you had more foursomes than most guys at once, could someone leave and feel hurt? Could some reimagine a story out of thousands of people? Could someone want notoriety in the market where people thirst for fame, even infamous.”**
  - c. **“Yeah, it’s [rape] a serious word, but I think they’ve changed the meaning.”**
  - d. **“But certainly I’ve never been forceful in any of my relationships. All of what I’ve had has been consensual.”**

28. Mr. Simmons’s statements explicitly target “six people” who had publicly accused Mr. Simmons of sexual assault, which necessarily includes Ms. Dixon. Mr. Simmons made his defamatory statements knowing full well that Ms. Dixon was one of the “six people” who had publicly accused him of sexual assault. Indeed, Mr. Simmons’s statements incorporated by reference Ms. Dixon’s public statements made in the 2017 *New York Times* article and in the 2020 *On the Record* documentary that Mr. Simmons had sexually assaulted her. A reasonable reader or viewer would conclude that Mr. Simmons’s statements were “of and concerning” and were conveying facts about Ms. Dixon.

29. In their full context, Mr. Simmons’s statements have the effect of accusing Ms. Dixon and the “six people[’s]” accounts of lying about being sexually assaulted by Mr. Simmons; that their recollection of the assault did not match his; and embedding a false statement of fact that Ms. Dixon lied about her account of the assault because she “le[ft] and fe[l]t hurt” or “thirst[ed] for fame, even infamous.”

30. In their full context, Mr. Simmons’s statements have the effect of accusing Ms. Dixon and the “six people” of “chang[ing]” the meaning of rape in order to level accusations at Mr. Simmons.

31. In their full context, Mr. Simmons’s statements have the effect of communicating that Ms. Dixon was lying about Mr. Simmons being violent with Ms. Dixon.

32. Mr. Simmons intended his false statements to be specific statements of fact, including a statement that he had not assaulted any of the women who had publicly accused him, including Ms. Dixon. Mr. Simmons’s false statements were broadcast around the world and were reasonably understood by those who heard them to be specific factual claims by Mr. Simmons that he had not sexually abused Ms. Dixon and that Ms. Dixon was a liar who was seeking fame.

33. Mr. Simmons exacerbated the harm from his defamatory statements by misleadingly claiming that his “accusers” “hav[ing] had a year” “to sue [him], and . . . haven’t” validates his false statements.

34. Mr. Simmons also buttressed his accusation by directing the interviewer to call Oprah Winfrey, an executive producer of *On the Record*, who he claimed pulled her endorsement from the project at his urging back in December 2019 through January 2020. He has continued in his campaign to discredit Ms. Dixon, referring to the “main accuser” from *On the Record* and calling her a liar for making the account of the assault public—defamation that started in December

2019 has continued until today. This defamation has reached all the way up the ladder to the pinnacle of the leadership circle, not only including Ms. Winfrey, but other founding board members of Time's Up, including some of our nation's most powerful women spanning industries from business to politics to entertainment. And this defamation has exacerbated the paralyzation of Ms. Dixon professionally, completely foreclosing that she could recover the career that was derailed for a second time during her tenure working for L.A. Reid.

35. In 1996, after the rape at Def Jam, Ms. Dixon was able to dust herself off and succeed again at Arista, partly because she did not allow the assault by Mr. Simmons to be public knowledge. By casting aspersions on her credibility publicly among his powerful cohort of fellow moguls, Mr. Simmons has made it impossible for Ms. Dixon to make a living at a level commensurate with her experience, track record, and training. Her fears of ostracization and retribution when she was first assaulted have been fully realized. Undoubtedly, this defamation has foreclosed Ms. Dixon's reentry into the entertainment industry in numerous ways including but not limited to the proverbial black balling at the highest possible level of power and influence in her field and business in general. Indeed, Mr. Simmons and his fellow gatekeepers have locked the doors to Ms. Dixon once and for all.

## **COUNT I**

### **(Defamation – against Mr. Simmons)**

36. Ms. Dixon repeats and re-alleges the allegations stated above in paragraphs 1–35 as if fully set forth herein. Mr. Simmons made his false and defamatory statements deliberately and maliciously with the intent to intimidate, discredit, and defame Ms. Dixon.

37. On or about December 6, 2023, and thereafter, Mr. Simmons intentionally and maliciously released to the press her false statements of fact about Ms. Dixon in an attempt to

destroy Ms. Dixon's personal and professional reputation and cause her to lose all credibility in her efforts to work in the music and entertainment industry, as well as help victims of sexual abuse and harassment in the music and entertainment industry.

38. Mr. Simmons additionally released to the press his false statements of fact with knowledge that his words would harm Ms. Dixon's professional and personal reputation.

39. Using his role as a powerful celebrity figure with wealth and influence, Mr. Simmons's statements were published internationally for the malicious purpose of further damaging a victim of sexual abuse and harassment; to destroy Ms. Dixon's reputation and credibility in both her professional and personal life; to cause the world to disbelieve Ms. Dixon; and to destroy Ms. Dixon's efforts to use her experience to help others suffering as victims of sexual abuse and harassment.

40. Mr. Simmons, personally and/or through an authorized agent, intentionally and maliciously made false and damaging statements of fact "of and concerning" Ms. Dixon, as detailed above, in New York and elsewhere.

41. Any statements made by an authorized agent of Mr. Simmons were made with direct and actual authority from Mr. Simmons as the principal.

42. The false statements of fact that Mr. Simmons made personally, and/or through any authorized agent, not only called Ms. Dixon's truthfulness and integrity into question, but also exposed Ms. Dixon to public hatred, contempt, ridicule, and disgrace.

43. Mr. Simmons made his false statements of fact knowing full well that they were completely false. Accordingly, he made his statements of fact with actual and deliberate malice, the highest degree of awareness of falsity.

44. Mr. Simmons's false statements of fact constitute libel, as he knew that they were going to be transmitted in writing, widely disseminated on the internet, and in print. Mr. Simmons intended his false statements of fact to be posted on YouTube and published by other media outlets internationally, and they were, in fact, published globally, including within New York.

45. Mr. Simmons's false statements of fact constitute libel per se inasmuch as they exposed Ms. Dixon to public contempt, ridicule, aversion, and disgrace, and induced an evil opinion of her in the minds of right-thinking persons.

46. Mr. Simmons's false statements of fact also constitute libel per se inasmuch as they tended to injure Ms. Dixon professional reputation in the music and entertainment industry casting aspersions on her credibility at the highest levels of the industry. They have also damaged Ms. Dixon's reputation as an activist advocate on behalf of victims of sex abuse and harassment in the music and entertainment industry, and inasmuch as they destroyed her credibility and reputation among members of the community that seeks her help and that she seeks to serve.

47. Mr. Simmons's false statements of fact were defamatory per se they conveyed that Ms. Dixon acted with fraud, dishonesty, and unfitness for the task in speaking out against sex abuse and harassment in the music and entertainment industry, including alleging that Mr. Simmons had assaulted and harassed her,. Mr. Simmons's false statements of fact directly and indirectly indicate that Ms. Dixon lied about being sexually abused and harassed by Mr. Simmons. Mr. Simmons's false statements of fact were reasonably understood by many persons who read his statements as conveying that specific intention and meaning.

48. Mr. Simmons's false statements of fact were reasonably understood by persons who read those statements as making specific factual claims that Ms. Dixon was lying about specific facts.

49. Mr. Simmons specifically directed his false statements of fact at Ms. Dixon's true public description of factual events, including her account in the 2017 *New York Times* article and 2020 the documentary *On the Record*, and many persons who read Mr. Simmons's statements of fact reasonably understood that those statements referred directly to Ms. Dixon's account of her abuse and harassment at the hands of Mr. Simmons.

50. Mr. Simmons intended his false statements of fact to be widely published and disseminated on television, through newspapers, by word of mouth and on the internet. As intended by Mr. Simmons, his statements of fact were published and disseminated around the world.

51. Mr. Simmons made his false statements of fact directly and/or through agents who, with his general and specific authorization, adopted, distributed, and published the false statements on Mr. Simmons's behalf. In addition, Mr. Simmons and/or his authorized agents made false statements of fact in reckless disregard of their truth or falsity and with malicious intent to destroy Ms. Dixon's reputation and credibility; to prevent her from further disseminating her life story; and to cause persons hearing or reading Ms. Dixon's descriptions of truthful facts to disbelieve her entirely. Mr. Simmons made his false statements of fact wantonly and with the specific intent to maliciously damage Ms. Dixon's good name and reputation in a way that would harm her professional career, personal life, and destroy her efforts to work in the music and entertainment industry, as well as advocate on behalf of abuse survivors and victims and share her life story, and thereby help others who have suffered from sexual abuse.

52. As a result of Mr. Simmons's campaign to spread false, discrediting, and defamatory statements about Ms. Dixon, she suffered substantial damages.

53. Mr. Simmons's false statements of fact have caused, and continue to cause, Ms. Dixon economic damage, psychological pain and suffering, mental anguish and emotional distress, and other direct and consequential damages and losses.

54. Mr. Simmons's campaign to spread his false statements of fact internationally was unusual and particularly egregious conduct. Mr. Simmons sexually abused Ms. Dixon and then wantonly and maliciously set out to falsely accuse, defame, and discredit Ms. Dixon. In so doing, Mr. Simmons's efforts constituted a public wrong by deterring, damaging, and setting back Ms. Dixon's efforts to help victims of sex abuse and harassment, as well as decimating her professional reputation in the music and entertainment industry. Accordingly, this is a case in which exemplary and punitive damages are appropriate.

55. Punitive and exemplary damages are necessary in this case to deter Mr. Simmons and others from wantonly and maliciously using a campaign of lies to discredit Ms. Dixon and other victims of sex trafficking.

#### **PRAYER FOR RELIEF**

**WHEREFORE**, Ms. Dixon respectfully requests judgment against Mr. Simmons, awarding compensatory, consequential, exemplary, and punitive damages in an amount to be determined at trial; costs of suit; attorneys' fees; and such other and further relief as the Court may deem just and proper.

#### **JURY DEMAND**

Ms. Dixon demands a trial by jury on all claims so triable.

Dated: February 15, 2024

Respectfully submitted,

/s/ Kenya K. Davis

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