

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BLAKE LIVELY,

Plaintiff,

v.

WAYFARER STUDIOS LLC, JUSTIN
BALDONI, JAMEY HEATH, STEVE
SAROWITZ, IT ENDS WITH US MOVIE LLC,
MELISSA NATHAN, THE AGENCY GROUP
PR LLC, JENNIFER ABEL, JED WALLACE,
and STREET RELATIONS INC.,

Defendants.

No. 1:24-cv-10049-LJL

**THE WAYFARER PARTIES' RULE 56.1 STATEMENT OF
UNDISPUTED MATERIAL FACTS**

14. Utilizing a separate, project-specific entity is also necessary in order to, for example, calculate net proceeds and back-end profit participation for each film, for the purpose of calculating profit participation. Heath Decl. ¶8.

15. IEWUM maintained its own bank accounts and funds, separate from Wayfarer, and independently engaged the cast and crew of the film, only a handful of whom were also Wayfarer employees. Heath Decl. ¶10.

16. Although Wayfarer and its employees provided some administrative, legal, and operational support to IEWUM on the film, that is common in the film industry, and IEWUM paid Wayfarer \$1 500,000 for those services pursuant to the terms of the Wayfarer's co-financing agreement with Sony Pictures' subsidiary, Columbia. Heath Decl. ¶11; Ex. 23, SPE BL0000001 at -02.

17. Beyond providing some financing, Sarowitz was not involved in the production of the film. Ex. 6, Sarowitz Dep. Tr. 230:13-15, 120:21-24. And he did not supervise or manage anyone at Wayfarer Studios during the filming of *It Ends With Us*. Ex. 6, Sarowitz Dep. Tr. 204:20-23.

18. Before Blake Lively joined the production, filming was set to begin in 2023, under Baldoni's direction. Ex. 24, Lively Dep. at 21:18-25; 261:3-12.

B. Lively Committed To A Role With Adult And Sexual Themes

19. The book *It Ends With Us* was well known for sexual content. Ex. 12, Giannetti Dep. at 188:13-189:2

20. [REDACTED] Ex. 24, Lively Dep. at 60:22-23.

many cast and crew And this is her ego being bruised.” Abel responded: “Not from any of us obv.” Nathan agreed: “Totally not from us.” Abel concluded: “These are clearly people on set coming out to defend [Baldoni] which is good and we just let them do their thing.” Ex. 191, NATHAN_000000547.

284. The same day, Lively wrote to another male cast member: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]” The cast member responded: [REDACTED]” Ex. 192, BL-000020228 at -229.

285. On or about August 19, 2024 [REDACTED]

[REDACTED] Ex. 193, WME_00001051.

286. Prior to these events, Lively had been criticized for [REDACTED]

[REDACTED] Ex. 24, Lively Dep.
Tr. at 208:11-25 [REDACTED] *Id.* at 209:6-14; *see also* Ex. 194, A. [REDACTED] Report (Oct. 17, 2025) at 47-49.

287. Prior to these events, Lively had also been criticized for “problematic on-set behavior” while working on the TV show *Gossip Girl*. Ex. 195, Lively’s Third Amended Responses To Wayfarer Studios LLC’s Second Set Of Interrogatories No. 21 (Oct. 17, 2025) at 15 (referring to January 7, 2024 video). These criticisms resurfaced in August 2024. *Id.*

288. Sony executives privately observed that the negative publicity around Lively was driven by her own conduct. For instance:

- a. On August 11, 2024, Tahra Grant, Executive VP and Chief Communications Officer at Sony wrote: “She orchestrated all this drama in a totally unsavvy and amateur way (and basically threatened...Sony) and now is mad it backfired on her.” Ex. 196, SPE_BL0023201 at -202.
- b. On August 15, 2024, Tom Rothman, Sony’s CEO observed that although Lively didn’t “deserve” the backlash, “she did bring it all on herself by refusing to listen to advice … and by selling her products.” Ex. 197, SPE_WF0000762.
- c. On August 21, 2024, Sony president Sanford Pantich wrote: “She did it to herself. If she just let him come to the premiere or didnt make all the cast unfollow him or kick him off the movie and did what everyone ever has done in show business for time and memorial which is protect ‘the show’ then none of the sleuthing would have happened. The hair sell at the same time was epic level stupid. She wouldn’t listen. She knows better.” Ex. 198, SPE_WF0000793 at -794.

289. As negative sentiment toward Lively accelerated, Baldoni asked his PR team to confirm that it was not using “bots” or fake accounts to generate positive sentiment for him online. Abel and Nathan both confirmed that they were not using bots or fake accounts. Ex. 199, BL-00000216 at -253; Ex. 190, BL-00000328; Ex. 200, JONESWORKS_0000001; Ex. 201, NATHAN_000000290.

290. On August 19, 2024, Baldoni asked Nathan about the negative sentiment toward Lively online. He wrote: “This is not us, correct?” Nathan responded: “None of us would ever do this....there is this struggle where it’s kind of maybe even unbelievable the way that people