

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**MATTHEW CHRISTIANSEN,**

**15 Civ. 3440 (KPF)**

**Plaintiff,**

**-against-**

**OMNICOM GROUP, INC., DDB  
WORLDWIDE COMMUNICATIONS  
GROUP INC., JOE CIANCOTTO,  
PETER HEMPEL and CHRIS BROWN,  
Defendants.**

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**DECLARATION OF  
TABOR THERIOT**

**TABOR THERIOT** certifies as follows:

1. I am over the age of 21, live in New York and am a gay male. I worked at DDB from October, 2012 to March of 2015. Joe Cianciotto managed me during that time. Matthew was my creative director on the State Farm account.
2. Joe was obscene, a bully and unprofessional. In a group meeting, a woman asked to make her requests for a project to another female employee, and Joe said “No one is putting anything into that project manager” with a hand gesture to make it clear that he meant putting it into her body, her physical self. I heard stories about Shawna Laken leaving because Joe sexually harassed her. I witnessed Joe harassing other females until they would cry, then he would humiliate them for crying. One female co-worker told me he threw a Pepsi can at her once. I witnessed Joe running down the hallways screaming for no reason except to make a scene to let us know he was around. I was born with cerebral palsy that caused a permanent limp. Joe made fun of my disability by calling me a “creepster lurking around the creative department” and that I had a “creepster look” and he did not want me to creep out the other employees.
3. Joe would constantly tell me, “I feel like a gay man in a straight man’s body” and “Oh god, if only I was gay, I would sleep with you now”, or other times, “What are you doing tonight, call me sometime.” On a number of occasions, Joe said to me that he is the “gayest straight guy you know,” that I look sexually appealing to him, and, if he were gay, he would have gay intercourse with me. On one occasion, he commented on my snappy wardrobe and said "It's growing a little...", meaning his penis. His behavior was pervasive and offensive, but we all operated under an unspoken fear because we knew corporate would not do anything to Joe. Employees were very distressed under this environment.

4. I witnessed Joe bully Matthew. Matthew appeared to remain calm and professional, but it was obvious that Matthew was deeply disturbed by Joe's harassment. Joe would embarrass Matthew in front of colleagues by saying "Everyone, look at Matt's muscles" and tell Matthew how big his muscles were. It was obvious that Matthew never felt comfortable being around Joe. Joe often talked about his personal life to the employees and about how much he disliked his wife and was sure she wanted to divorce him. He said he stayed in the office to avoid his family, then he would abuse everyone there because of his personal issues. During my first week at work, Joe turned played a song on his computer during a meeting with many of my colleagues and insisted that before he starts the meeting that we guess the song to win a prize to sleep with his wife because he said he hates her. To get the meeting started, Matthew guessed the song and Joe mocked him to everyone as "How does it feel to be beat by the gay guy?"

5. At a State Farm May, 2013 meeting with some twenty people present, I coughed, then Joe said he had a nagging cough too, and he looked directly at Matthew and said "It feels like I have AIDs. You know what that's like, Matt." I saw Matthew turn red and he was visibly upset. I thought that Joe had just divulged Matthew's private medical information and I was concerned that Joe would next accuse me of AIDs since I was also gay. I was shocked that Joe accused someone of a health risk; whether it was true or not, it affirmed to me that Joe had a complete disregard for any employee's life. Subsequently, Matthew told me that he was very upset because he had many friends who lived with and died of AIDs, and he was horrified that Joe would mock gay men as having AIDs.

6. I saw pictures of Matthew that Joe would draw to mock him as a gay man. I thought it was a complete disregard for humanity. In no uncertain terms, I believe the Muscle Beach poster Joe created with Matthew in a bikini on his back with his legs in the air was meant to depict him as a gay submissive sissy. There were many meetings that Matthew did not attend because he was so disoriented by Joe's attacks on his sexuality and being accused of having AIDs.

7. Joe barged into a meeting I was attending at DDB in June 2013 with about four co-workers and he drew a picture of me on a female dog's body urinating with a co-employee on my back, captioned "Mush". I was very upset by that action.

8. People who worked directly with Joe for a decade at DDB always defended him when people would complain saying, "Well, that's just how Joe operates so we have to do what we have to do", meaning put up with it. In June of 2013, I complained to Wendy Raye of Human Resources about Joe's harassment. She told me "I am sorry you are going through this" and she told me while they investigate my complaint I would have to remain working with Joe and she asked "are

you comfortable with that?”, but provided no alternative for me. At some point thereafter, a meeting was held where Joe briefly said he may not have been handling himself in the most professional way, but no apology for his abuse was made. Peter Hempel approached me and said “Are you going to be OK? We are going to get through this.” I believed I was to get fired for my complaints because DDB was not firing Joe for his egregious behavior, which was frightening and pathological, yet DDB would not do anything when we complained.

9. Joe continued his abuse after that. He would make lewd comments to the employees. He was so disgusting, he would talk about his “shitting” in hotels and breaking their toilets. At meetings he would intimidate us by saying he had to leave early because he was being pulled into executive level meetings and he was in trouble or that he was being closely monitored.

10. Although I complained to DDB, no one there ever told me I could complain to a third party such as the EEOC. I never knew that was an option and if I knew I would have complained there too. Because the entire digital creative department specific to State Farm funneled through Joe, we feared him as he held our careers in his hands, so we had to accept his bullying until we could find other jobs because DDB made it clear they would not do anything to him.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: June 18, 2015

  
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TABOR THERIOT