

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

ZAHA HADID,

Plaintiff,

-against-

NYREV, INC. d/b/a NEW YORK REVIEW OF
BOOKS, MARTIN FILLER,

Defendants.

Index No. _____

COMPLAINT AND JURY DEMAND

Plaintiff ZAHA HADID (“Plaintiff”), through her undersigned attorneys, Baker Hostetler, LLP, hereby complains of Defendants as follows:

Nature of the Action

1. By this action, one of the most visionary and celebrated architects of our time, Plaintiff Zaha Hadid, seeks to protect her reputation against the publication of blatantly false and defamatory statements made against her in an article written by Defendant Martin Filler in the New York Review of Books, published on June 5, 2014. The article was published and disseminated in print and online to a community of readers in New York and around the world. Defendants have caused, and continue to cause, serious damage to Plaintiff’s reputation, business and well-being, forcing Plaintiff to bring this lawsuit to protect her rights.

Parties

2. Plaintiff Zaha Hadid (“**Hadid**”) is an individual who resides within and is a citizen of the United Kingdom.

3. Upon information and belief, Defendant NYREV, Inc., d/b/a New York Review of Books (“**NYRB**”) is a corporation organized and existing under the laws of the State of New York with a principal place of business at 435 Hudson Street, Suite 300, New York, New York 10014. The NYRB is a magazine published on a bi-monthly basis that provides reviews of current books. It is available online and in print on a subscription basis.

4. Upon information and belief, Defendant Martin Filler (“**Filler**”) is an individual that resides and does business in the State of New York. He is an author of articles and books on the subject of architecture and a contributor to the NYRB.

Zaha Hadid, Architect

5. **Hadid** has been described as the world’s leading female architect, and was named on TIME magazine’s 2010 list of the “100 Most Influential People in the World.” She has collected a number of major architectural awards, including the international Pritzker Architecture Prize—considered to be the Nobel Prize for architecture—and the Sterling Prize awarded by the Royal Institute of British Architects. She is the first woman to win the Pritzker award. Her thirty-year career has been the subject of critically-acclaimed retrospective exhibitions at New York’s Solomon R. Guggenheim Museum in 2006, London’s Design Museum in 2007, and the Palazzo della Ragione, Padua, Italy in 2009. She is the founder and director of Zaha Hadid Architects based in London.

6. Her architecture has contributed to skylines and landscapes in Asia, Europe, North America, and the Middle East, including the London Aquatic Center built for the 2012 Olympics; the Heydar Aliyev Center in Baku, Azerbaijan; and the Rosenthal Center for Contemporary Art in Cincinnati, Ohio. She has designed the New National Stadium in Tokyo for the 2020 Olympics. In the United States, her current designs include a 62-story residential

tower in Miami at 1000 Biscayne Boulevard, and a residential building along the High Line in New York City at 520 West 28th Street.

7. **Hadid** is a British citizen who was born in Baghdad, Iraq, studied mathematics at the American University of Beirut, and went on to attend the Architectural Association School of Architecture in London. Her rise to fame came despite the odds in a male-dominated industry. Along with Frank Gehry, Rem Koolhaas, and others, she is on a short list of architects celebrated for the postmodern development of “deconstructivism” in architecture. **Hadid**’s dynamic forms integrate natural topography and human-made systems, and she is known for having explored fluid and striking geometries in her designs.

8. **Hadid** has made academic contributions to the architectural community through her teaching positions as the Kenzo Tange Chair at the Graduate School of Design at Harvard University and as the Sullivan Chair at the University of Illinois, School of Architecture, Chicago. Among other visiting and guest professorships, she held a guest professor position at the Masters Studio at Columbia University in New York and was previously the Eero Saarinen Visiting Professor of Architectural Design at Yale University.

9. In 2010, **Hadid** was named “Artist for Peace” by the United Nations Educational, Scientific and Cultural Organization (UNESCO) “in recognition of her efforts to raise public awareness of intercultural dialogue, to promote excellence in design and creativity, and her dedication to the ideals and aims of the Organization.”

10. **Hadid** regularly contributes pro-bono work and designs for the benefit of charities around the world. For example, she designed a cancer care center in Scotland for families and individuals dealing with the emotional and psychological trauma of cancer. **Hadid** also designed “Liquid Skyline” for the Fabergé Big Egg Hunt New York 2014, which raised

\$51,000 at auction, and where the proceeds went to two charities, one being Studio in a School, a New York non-profit bringing visual and professional arts to New York public schools.

Al Wakrah Stadium, Qatar

11. In late 2010, Qatar won the bid to become the host country for the 2022 FIFA World Cup. The crowds expected to be drawn to the event require the development of significant infrastructure.

12. In 2012, **Hadid** was chosen for the design of one of the stadiums for the 2022 FIFA World Cup, the Al Wakrah stadium, in Al Wakrah, Qatar.

13. The Al Wakrah stadium is the first and only piece of architecture designed by **Hadid** in Qatar.

14. The historic port city of Al Wakrah is about 10 miles south of Doha and has a tradition of fishing and pearl diving. **Hadid**'s design, unveiled in November 2013, is inspired by the curving lines of the dhow boat traditionally used by Qataris for pearl diving.

15. On February 24, 2014, **Hadid** attended a press event for the public opening of the London Aquatic Center. It was attended by sports correspondents from The Guardian, The Telegraph, BBC London News, ITV London News, and others. Amidst questioning regarding the London Aquatics Center, **Hadid** was asked to confirm that she was involved in the design of one of the stadiums for the 2022 World Cup. She was then asked about worker conditions on construction projects in Qatar. As is the custom and practice among architects, **Hadid** does not discuss the practices of other projects or architects, but highlighted the role of statutory requirements for ensuring safe working conditions across all construction sites.

16. Specifically, she was asked about deaths of construction workers in Qatar. She responded, "I think that's an issue the government – if there's a problem – should pick up.

Hopefully, these things will be resolved.” She was then asked if she was concerned about the deaths and responded:

Yes, but I’m more concerned about the deaths in Iraq as well, so what do I do about that? I’m not taking it lightly but I think it’s for the government to look to take care of. It’s not my duty as an architect to look at it. I can make a statement, a personal statement, about the situation with the workers, but I cannot do anything about it because I have no power to do anything about it. I think it’s a problem anywhere in the world. But, as I said, I think there are discrepancies all over the world.

17. The comments sparked controversy and debate in the media and within architectural circles about the role of architects at the construction phase; however, in no way did they concern construction on Al Wakrah stadium.

18. About two months later enabling works began on the Al Wakrah site, shortly after an enabling works contractor was appointed in April 2014. Enabling works are excavation, site preparation work, and foundation work needed to make a site ready for construction. Before enabling works, only early stage works occurred at or near the site of the Al Wakrah stadium. Early stage works create the infrastructure necessary to begin enabling works, including fencing off the site, creating access roads, and providing utilities such as water and electricity. Early stage works began for the Al Wakrah site at the end of 2013.

19. Construction to build the stadium is not scheduled to begin until 2015, after a general contractor has been appointed. There have been no worker deaths on the Al Wakrah stadium site.

The Attack on Hadid’s Reputation through the False and Defamatory Statements

20. In the June 5, 2014 issue of the **NYRB**, **Filler** wrote an article entitled “The Insolence of Architecture” (the “Article”). The Article is a review of a book by Rowan Moore

entitled “Why We Build: Power and Desire in Architecture.” A true and complete copy of the Article is annexed as Exhibit A.

21. Notwithstanding that the book that is subject of the review contains fewer than twenty out of 370 pages that mention **Hadid**, almost two-thirds of the paragraphs in the Article mention **Hadid**. Nearly all of these paragraphs are utilized to call **Hadid**’s success into question or characterize her personality as difficult.

22. The Article generally describes the working conditions of migrant workers in Dubai and the other United Arab Emirates as “indentured servitude” or “defacto slavery.” It lists Frank Gehry, Norman Foster, **Hadid** and Jean Nouvel as examples of famous architects whose designs have been selected for construction in the Gulf States.

23. The Article then goes on to single out **Hadid** alone in false and defamatory accusations with the following passage:

However, despite the numerous horror stories about this coercive exploitation, some big-name practitioners don’t seem moved by the plight of the Emirates’ imported serfs. Andrew Ross, a professor of social and cultural analysis at New York University and a member of Gulf Labor, an advocacy group that is seeking to redress this region-wide injustice, earlier this year wrote a chilling *New York Times* Op-Ed piece. In it he quotes the Iraqi-born, London-based architect Zaha Hadid, who designed the Al Wakrah stadium in Qatar, **now being built for the 2022 World Cup. She has unashamedly disavowed any responsibility, let alone concern, for the estimated one thousand laborers who have perished while constructing her project thus far. ‘I have nothing to do with the workers,’ Hadid has claimed. ‘It is not my duty as an architect to look at it.’**

(emphasis added) (in bolded part, the “Statements”).

24. The last two sentences are select segments from **Hadid**’s February 2014 quote and, juxtaposed with the blatantly false preceding sentence, falsely imply that **Hadid**’s February

2014 statements were made with regard to deaths of workers constructing the Al Wakrah stadium.

25. The Statements are false and defamatory against **Hadid**. Construction has not yet begun on Al Wakrah stadium. No workers have died on the Al Wakrah site. **Hadid**'s quoted lines did not pertain to worker deaths at the Al Wakrah site. As of the date of the Article, only a few weeks of enabling works had begun on the Al Wakrah site.

26. The Statements are also false and defamatory as to **Hadid** because they state that the construction of the Al Wakrah stadium is "her project"; that she has oversight of the workers building the stadium; and that she is indifferent to the deaths of people working for her.

27. The Statements were written and published with actual malice and an indifference to standards of responsible journalism.

28. **Filler** and the **NYRB** had reason to doubt the truth of the defamatory Statements. The March 28, 2014 *New York Times* Op-Ed piece by Andrew Ross from which **Filler** quotes states neither that construction has begun on Al Wakrah stadium nor that there have been any worker deaths on the site. It states instead something very different, unconnected to **Hadid**—that ". . . almost a thousand migrants have died in neighboring Qatar while building infrastructure for the 2022 World Cup."

29. The timeframe for the hiring of contractors, the start of enabling works and the estimated start date for construction of Al Wakrah stadium have been reported in the media and are available online from the website of the committee tasked with delivering proposed tournament venues and projects for the 2022 FIFA World Cup, the Supreme Committee for Delivery & Legacy. In its "News" section, on April 20, 2014, the committee announces that HBK Contracting Company was awarded the enabling works contract for Al Wakrah stadium,

that enabling works began in April 2014, are expected to be completed in March 2015, and include site clearance and excavation along with laying the foundation for the stadium, at [http://www.sc.qa/en/about/news/hbk-named-Al Wakrah-enabling-works-contractor](http://www.sc.qa/en/about/news/hbk-named-Al-Wakrah-enabling-works-contractor).

30. The Article has impugned **Hadid** in her profession as an architect.

31. The Article has exposed **Hadid** to public ridicule, contempt, aversion, disgrace, and induced evil opinions of her in the minds of right-thinking persons, while depriving her of confidence and friendly intercourse in society, thus injuring **Hadid** in her good name and reputation.

32. **Hadid** has suffered severe emotional and physical distress as a direct result of the Article.

**Cause of Action for
Libel Against Filler and the NYRB**

33. Plaintiff incorporates herein by reference, to the extent applicable, each and every allegation contained hereinabove.

34. The Article includes written defamatory Statements of fact concerning **Hadid**.

35. The Article was published in print and online to subscribers of the **NYRB** through the June 5, 2014 issue of the **NYRB**.

36. The Article was published by **Filler** and the **NYRB** with actual malice and/or with knowledge that it was false or with reckless disregard of whether it was false or not.

37. The Article contains false Statements.

38. The Article is libelous per se in that it tends to disparage **Hadid** in the way of her office, profession or trade and/or suggests that **Hadid** engaged in fraud, misconduct, dishonesty, incapacity, unfitness or want of any necessary qualification in the exercise of her profession, trade or business.

39. The Article is libelous per se in that it and falsely states that **Hadid** was involved in criminal conduct in that she was responsible for the deaths of laborers under conditions tantamount to indentured servitude or slavery.

40. **Hadid** has been damaged by Defendants' actions in an amount to be proven at trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for relief on the above cause of action, and respectfully request that the Court:

- (a) enjoin Defendants, their agents, servants, employees, and affiliates from continued publication of the Article;
- (b) order Defendants to publish an immediate retraction in the **NYRB** with at least as much prominence as the Article itself;
- (c) award Plaintiff actual damages for Defendants' illegal acts;
- (d) award Plaintiff exemplary damages for Defendants' illegal acts;
- (e) award Plaintiff full costs for this action, including counsel fees; and
- (f) award Plaintiff any further relief as justice may require, or as this Court deems necessary.

DEMAND FOR JURY TRIAL

Plaintiff hereby requests a jury trial for all claims.

Respectfully submitted,

Dated: August 21, 2014
New York, New York

BAKER HOSTETLER, LLP

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