

03007

CHARGE OF DISCRIMINATION		AGENCY	CHARGE NUMBER
This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.		<input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	480-2017-03007
State or local Agency, if any			
NAME (Indicate Mr., Ms., Mrs.) Deren MacNail		[REDACTED]	
STREET ADDRESS [REDACTED]		[REDACTED]	
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)			
NAME SAG-AFTRA	NUMBER OF EMPLOYEES, MEMBERS	TELEPHONE (Include Area Code) (323) 954-1607	
STREET ADDRESS 5757 Wilshire Blvd	CITY, STATE AND ZIP CODE L.A. CA 90034	COUNTY	
NAME	TELEPHONE NUMBER (Include Area Code)		
STREET ADDRESS	CITY, STATE AND ZIP CODE		COUNTY
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es)) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify)		DATE DISCRIMINATION TOOK PLACE <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): See Attached			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - (When necessary for State and Local Requirements)	
I declare under penalty of perjury that the foregoing is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
9/16/2017 [Signature] Date Charging Party (Signature)		SIGNATURE OF COMPLAINANT SEP 06 2017 SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Day, month, and year) EEOC/LADO INTAKE	

p. 00466

Deven MacNair

[REDACTED]
[REDACTED]
[REDACTED]

9/06/2017

STATEMENT OF FACTS

I, Deven MacNair, was discriminated against in the workplace due to my being a woman, because a male performed stunt work that required a stuntwoman because the role being played in the movie was a female (Kate Bosworth, the star of the movie). This is discrimination against me due to sex and was also a violation of the 2014 SAG-AFTRA Theatrical Agreement.

Here are the details: On November 21, 2016 I, was hired as a stuntwoman on the feature film "The Domestics" as evidenced by the crew call sheet (attached) showing my name as cast number 21, "Gambler Woman". I was hired by stunt coordinator Nick Gillard. In this film there was a scene noted under "Special Instructions" on the call sheet, requiring bullet shots at the lead actress' car and then she, Kate Bosworth, screeches out of parking lot in bullet riddled car.

On November 23, 2016 the same scene was being filmed. I was present, ready and available on set the day of the scene. The SAG-AFTRA 2014 Theatrical AMPTP Agreement, specifically Paragraph 97, Section F, third paragraph states, "Where the stunt performer doubles for a role which is **identifiable as female** and and/or Black/African-American, Latino/Hispanic, Asia/Pacific Islander or Native American, and the race and or **sex** of the **double** are also **identifiable**, Producer shall endeavor to cast qualified persons of the same sex and/or race involved."

The stunt work role being doubled for was played by Kate Bosworth, an identifiable female actress. Kate Bosworth was to be driving a car that would be riddled with bullets as she skidded off and drove out of the cameras view. Kate Bosworth left set that day, November 23 2016, and I was the only female stunt woman on set that day.

In 1996, I received a degree in Theater from Northwestern State. In 1998, I worked my first stunt job in Japan. I am trained and able bodied. When they called over the walkie for the stunt to be performed, Nick Gilliard, the male stunt coordinator, reported to the set. I also reported to the set not realizing Mr. Gilliard had taken was going to perform this stunt. He then put on Kate Bosworth's clothes and Kate Bosworth's wig. He had decided to drive the getaway car.

I told Mr. Gillard that I was ready and able to do the stunt and that men should not do women's stunt work. Mr. Gilliard alleged that the scene was "too unsafe" and refused to let me do it. This is a false statement. There was nothing unsafe about the scene. The car was pre-set with "squibs", small remote controlled exploding caps commonly used in gun scenes. The driving required nothing more than screeching tires and driving away. In short, Nick Gilliard performed the stunt dressed as a woman and

refused to allow an on-set stuntwoman to perform the scene, a clear violation of Title VII of the Civil Rights Acts as well as 2014 AMPTP Agreement. I filed a notice of violation with SAG-AFTRA on November 23, 2016 at 10:30 p.m. that evening.

Enclosed is the SAG-AFTRA response, pictures of Nick Gillard dressed as a Kate Bosworth, a woman, and the call sheet for the feature film "The Domestics" evidencing my name as employed and available on the day of the car stunt scene.

In addition to faulting the producers of "The Domestics," I also hold accountable my Union, SAG-AFTRA, for not assisting me in this matter.

Deven MacNair

Deadline



**TD Productions, LLC**

8301 W. Judge Perez Dr., Ste 110
Chalmette, LA 70043
(504) 595-1700 (O)

Director: Mike P. Nelson
Producer: Gianni Nunnari
Producer: Shannon Gaulding
Exec Prod/UPM: Joshua Throne

PRELIMINARY

Crew Call:
6A

PLEASE see back for individual call times
All pre-calls **MUST** take an NDB
NO Forced Calls w/o prior approval of UPM.
NO VISITORS w/o prior approval from
PRODUCERS.

Monday November 21, 2016

DAY: 6 of 24
SHOOTING CALL: 6:45A
Weather: 65° High 49° Low
0% chance of rain. Plenty of sun!
Sunrise/Sunset: 6:30A/5:01P
CURRENT SCHEDULE: WHITE
CURRENT SCRIPT: YELLOW

Today's Safety Bulletins:
#1, #4, #5, #10

SAFETY MEETING WILL BE HELD AT CREW CALL
SAFETY MANUAL CAN BE FOUND IN THE A.D. TRAILER

SCENE	SET/DESCRIPTION	CAST	D/N	PGS	LOCATION
98	INT CUBE TRUCK - DRIVING <i>Mark assures Nina they will make it out of this</i>	1, 2	D4	7/8	Stonebridge Country Club 1500 Stonebridge Dr. Gretna, LA 70056
108	EXT ANT '55 CHEVY - DRIVING <i>Nina screams with joy and agony as the Chevy shoots down the rural road</i>	1, 2, 200, 201, 202	D4	2/8	
104	EXT WRENHAUS - BACK PARKING LOT <i>Mark & Nina hobble to the back parking lot, it's empty</i>	1, 2, 200	D4	2/8	Crew Parking/Basecamp
107	EXT WRENHAUS - BACK PARKING LOT <i>Nina starts up the '55 Chevy. Vrooom!!!</i>	1, 2, 11, 14, 15, 19, 21, 200, 201, 202, 298	D4	7/8	Working Trucks/Catering 1500 STONEBRIDGE DR.
105	EXT WRENHAUS - ROOFTOP <i>The rooftop Gamblers are dropped</i>	1, 2, 16, 17, 200	D4	3/8	
99	EXT WRENHAUS <i>Mark & Nina are lead towards the Wrenhaus</i>	1, 2, 11, 14, 15, 16, 17, 200	D4	3/8	Nearest Hospital: Ochsner Hospital 2500 Belle Chasse Hwy Terrytown, LA 70056 (504) 392-3131
			TOTAL	3	

#	CAST	ROLE	STATUS	PICK UP/LEAVE	REPORT	H/MU	ON SET	REMARKS
1.	Kate Bosworth	NINA MONROE-WEST	W	4:50A	5:15A	5:15A	6:45A	self drive to basecamp
2.	Tyler Hoechlin	MARK WEST	W	5:40A	6A	6A	6:45A	self drive to basecamp
11.	Dana Gourrier	WANDA	SW	-	7A	7:15A	8:30A	report to basecamp
14.	Preston Schrag	BUFFALO HEAD GAMBLER	SW	-	7:30A	7:45A	8:30A	report to basecamp
15.	Travis Gomez	DOG HEAD GAMBLER	SW	-	7:30A	7:45A	8:30A	report to basecamp
19.	Dave Davis	FLAME GAMBLER	SW	-	7:30A	7:45A	8:30A	report to basecamp
21.	Deven MacNair	GAMBLER WOMAN	SW	-	7:30A	7:45A	8:30A	report to basecamp
200.	Nick Gillard	STUNT COORDINATOR	W	5:20A	6A	-	6A	self drive to basecamp
201.	Jennifer Cocker	STUNT DOUBLE NINA	SWF	-	7:15A	7:15A	8:30A	report to basecamp
202.	Aaron Mathews	STUNT DOUBLE MARK	WF	-	7:15A	7:30A	8:30A	report to basecamp
298.	Joe Nin Williams	STUNT FIGHTER GAMBLER	SW	-	7:30A	7:45A	9A	report to basecamp

STAND-INS/PHOTO-DOUBLE**SPECIAL INSTRUCTIONS**

#	CAST	CALL	ON SET	PROPS:
1	NINA SI	5:45A	6A	MARK wedding ring; sc. 99- Elk head, Rawhide head, Gambler gak for BG, game for "kids" to be playing;
1	MARK	5:45A	6A	scs. 104/107/108- NINA & MARK w/ wooden rods screwed to their hands; sc. 104- herbal cigarettes, target
1	WANDA	8A	8A	practice kid's guns, 2LANE license plate; sc. 105- Elk head, Rawhide head; sc. 107- guns for
1	UTILITY from BG	*	8A	Gamblers;
1	UTILITY from BG	*	8A	SPFX: sc. 104- kids target practice shots; sc. 105- Rawhide Tusks Head & Elk Head Gamblers get shot; sc. 107-
TOTAL				Gamblers unload on Chevy

BACKGROUND

SC	DESCRIPTION	CAST	D/N	PGS	LOCATION
sc. 104	Target practice kids (18 ty)	6A	7:30A		
sc. 107	Wrenhaus Gamblers (4 F, 6 M)	6A	8:30A		
10	Wrenhaus Gamblers (M)	6:30A	8:30A		
	(3) Wrenhaus Target practice kids from above	*			
sc. 99	Rawhide Tusk Head Dbl	11A	12P		
1	Elk Head Dbl	11A	12P		
1	Deer Skull Gambler	11A	12P		
1	Mike the Moose Head	11A	12P		
2	Pulbarn Gamblers (to stand in)	6:30A	*		
	(20) Wrenhaus Gamblers from above	*			
	(3) Wrenhaus Target practice kids from above	*			
TOTAL			25		

LOCATIONS: A/C, Pee-mo near location

ADVANCE SHOOTING SCHEDULE**SATURDAY & SUNDAY NOVEMBER 19 & 20, 2016 - COMPANY OFF****MONDAY NOVEMBER 21, 2016**

SCENE	SET/DESCRIPTION	CAST	D/N	PGS	LOCATION
100	INT WRENHAUS - FRONT DESK	1, 2, 14, 15, 20, 37, 200, 298 (x2)	D4	1 5/8	Stonebridge Country Club
101	INT WRENHAUS - HALLWAY	1, 2, 14, 15, 20, 38, 200, 298 (x2)	D4	3/8	1500 Stonebridge Dr.
102 BEGIN	INT WRENHAUS - ROOM 119	1, 2, 11, 14, 15, 18, 19, 20, 21, 200	D4	3	Gretna, LA 70056
			TOTAL	5	

Exec. Prod./UPM: Joshua Throne

1st AD: William Clark

2nd AD: Georgianna Whitley (504) 975-6193

2nd 2nd AD: Alicia Dean

OFF SET: Tony Ziegler

Radio Channels: 1 & 2=Production. 3=Transpo. 6=Camera. 7=Elec. 8=Grip. 13=SPFX. 14=Rigging Elec.



Deven MacNair

Wow**Gillardstunts . <gillardstunts@gmail.com>**

Sun, Jan 15, 2017 at 7:30 PM

To: Deven MacNair

Just seen this {Below}

I can only assume you think you should have done the driving?

As you know it was Kate's assistant who asked me to give you a job, I knew nothing about you other than you were a wrestler. Over the 40 years I have been in this business I have learned it is always wise to ask advice when working in a new town, so of course I asked around about you. The advice that came back was on the whole good. Great in a fight, hits the ground, can act, but don't let her anywhere near a car stunt, most seemed to relate to a time when you had to be replaced after failing 5 times to slide a car onto a mark..

I didn't take anyone's job, and I certainly didn't get paid for it, I explained to you on the day why I was driving the Chevy, the car was dangerous, had no breaks, and the last time we had used it it had caught fire, and for that reason I was too dangerous for the actress to do.

My main job as stunt co-ordinator is to ensure the safety of cast and crew, and if that involves me doing the stunt, then that is what will happen.

I did not post a photo on Instagram, that was someone else, and as for acting effeminate in the photo, that was somehow demeaning to women, jeez..

I have six sisters, I probably know more about women than you do.

In the final shoot out of The Domestics there were 8 stunt people, 5 guys 3 women of which you were one, I made that happen, so you've got that bit wrong too.

I'd like to say I am amazed at your behaviour over this, but I kinda saw it coming, should have stuck with my gut feeling from the beginning..

You're a hater Devan, you are trying to gain celebrity by hating, I'm sure the Karma police will catch up with you soon.

We have spoken to both SAG Louisiana and SAG Hollywood about this and made them fully aware of the circumstances regarding this incident.

I wish you luck with you future.

Sincerely. Nick.

I am a stuntwoman/stunt coordinator for 18+ years, an Executive member of Women in Film and a PROUD SAG-AFTRA member, and a woman that is now going to fight "the man" so to speak on the phrase that the stunt coordinators "shall endeavor" to hire the correct gender, ethnicity etc. I had the honor of seeing this for the last time Nov 23rd 2016 in New Orleans La. on the Domestics. It will never again while I am present. Men wiggling themselves and calling off qualified stuntwoman who could do the job but are not allowed. And the kicker? Posting themselves on Instagram!! And being effeminate on the post! Never again!

I am organizing stuntwomen and men from various stunt organizations along with other stuntwomen, and me, SAG-AFTRA actors and actresses and various others in costumes, makeup, camera, production etc whom are all done with the disrespect and illegal practice of gender discrimination (and pay discrimination) this will take place on Sat Jan 14th at 1 pm at the Muse Room in Burbank along

9/6/2017

Gmail - Wow

with the SAG Diversity Dept who has been lovely and helpful along with other Union affiliates and Women in Film to never allow this to happen again. We will discuss plan of action and where we can go from here

Nick Gillard

www.Danger-Inc.com

Deadline



Deven MacNair [REDACTED]

Fwd: Results of investigation

Deven MacNair [REDACTED]

Sun, Aug 27, 2017 at 9:50 PM

Begin forwarded message:

From: Adam Moore <Adam.Moore@sagaftra.org>
Date: August 22, 2017 at 1:31:18 PM PDT
To: 'Deven MacNair' [REDACTED]
Cc: Brad Keenan <Brad.Keenan@sagaftra.org>, Cedric Jackson <Cedric.Jackson@sagaftra.org>, Leslie Krensky <Leslie.Krensky@sagaftra.org>, Brenda Feigen <bfeigen@feigenlaw.com>
Subject: RE: Results of investigation and more pics from YESTERDAY!

Hello Deven,

I have attached the notice of violation correspondence we sent regarding *The Domestics* for your reference.

SAG-AFTRA maintains confidentiality with respect to the written responses we receive to these notices. However, here is a brief summary of the status as we understand it:

The production explained that a female stunt woman was engaged for the day to double the female principal actor and drive at high speeds. Subsequent to her engagement, the production, decided to have the principal actor drive the car herself at a slow speed and the action would be sped up in post-production. During shooting, it was determined that the scene should also include the car fishtailing from a stop as it raced away. A decision was made to have the male stunt coordinator on set perform the fishtail. We were told this was done out of a concern for safety for the female principal actor, and due to the inability to engage a female stunt performer in the short timeframe during shooting. No other incidents like this one occurred for the remainder of the production.

We are still engaging with production to obtain an adequate response to the following portion of the notice: "any specific actions you have taken that would fulfill your contract obligation and/or the specific actions you will take to ensure that this does not recur." We will continually work with this production, and all productions, to eliminate the practice. Thank you again for bringing this specific instance to our attention as well as your vigilance to improve the lives of stunt performers. The dedication of professionals like yourself has increased awareness of the responsibilities producers and stunt coordinators have under our collective bargaining agreements.

All the best,

Adam

Adam Moore | National Director | EO & Diversity | SAG-AFTRA

1900 Broadway – 5th Floor | New York, NY 10023 | Tel: 212.827.1433

Adam.Moore@sagaftra.org
www.SAGAFTRA.org/eeodiversity

Please don't print this e-mail unless you really need to



From: Deven MacNair [REDACTED]
Sent: Monday, August 21, 2017 8:11 PM
To: Gabrielle Carteris <PresidentCarteris@sagaftra.org>; Brad Keenan <Brad.Keenan@sagaftra.org>; Cedric Jackson <Cedric.Jackson@sagaftra.org>; Adam Moore <Adam.Moore@sagaftra.org>; Diversity <Diversity@sagaftra.org>; Jane Austin <stuntjane21@gmail.com>; Leslie Krensky <Leslie.Krensky@sagaftra.org>; Brenda Feigen <bfeigen@feigenlaw.com>
Subject: Re: Results of investigation and more pics from YESTERDAY!

Please please someone respond to what is happening.....I have no updates

NEVER one update of the investigation.....

On Mon, Aug 14, 2017 at 8:40 AM, Deven MacNair [REDACTED] wrote:

Dear SAG-Aftra Diversity Crew and all!

Once again I am requesting in WRITING what was the result of the SAG-AFTRA investigation against the feature The Domestics and Stunt Coordinator Nick Gilliard. If the investigation is done please let me know the results.

I put my career on the line for this one no doubt. I got my FIRST call for stunt work only a week ago --- this was the first call as a stunt performer since Nov 2016!