Family sues Disney over production worker's COVID-19 death

Hong Jian
10 January 2023

On Wednesday, the family of a man who died from COVID-19 last year after working as a driver on the set of Disney's American Horror Story television series filed a wrongful death lawsuit in federal court against the Walt Disney Company, 20th Century Studios and Ryan Murphy Productions.

"Tall" Paul Woodward, 67, died of COVID-19 after driving a crew van that shuttled crews, actors, employees and contractors for the production of the long-running FX television series, which is produced by the defendants listed in the filing.

Woodward is survived by his wife Patricia and his adult children, son Redmond and daughter Harley. He lived in East Bridgewater, Massachusetts, most of his life, having graduated from East Bridgewater High School in 1971. He also worked as an oil truck driver for nearly 30 years in Teamsters Local 25 before switching to their movie division, working on a number of different film and television productions for the last nine years of his life.

His family stated that he tested negative for COVID-19 in February before going to work on the set in Provincetown, Massachusetts. The filming of the series was carried out in a production bubble, where all crew and cast were supposed to stay in hotels while keeping away from family, friends and others in order to reduce exposure to COVID-19.

Woodward became sick on March 13, 2021, while on the set, but the initial COVID-19 test came back negative. However, after his condition did not improve, his son came to pick him up and took him to an area hospital where he then tested positive. A few weeks later, on April 18, 2021, according to his obituary, he died due to complications from COVID-19 at Carney Hospital in Dorchester, Massachusetts.

The date was personally very significant. As his wife Patricia Woodward made clear, "He passed away on the morning of our 25th anniversary. So that day instead of going out to dinner or having champagne, I had to go to the funeral home and look for a casket for him."

Patricia also made note of the fact that none of the production companies even sent condolences after the death of her husband. She declared, "Nothing is going to change me spending the rest of my life without my husband but hopefully there will be some sort of justice."

Keches Law Group attorney Jonathan Sweet, who is representing the family, indicated that social distancing protocols were not followed and masking requirements were flouted while in the van. He also stated, "There was no plexi-glass barrier separating him from all the passengers. One was requested. The request was denied."

Sweet also remarked, "We know that he tested negative when he arrived, he was symptom-free. We know that there were other cases of COVID that broke out on this set." He also said that the fact that everyone in the crew and cast had to stay in the production bubble made this case distinct.

As of last year, there were at least 23 wrongful death lawsuits filed across the country against businesses in regard to COVID-19, none of which have as yet come to a successful resolution for the plaintiffs, although two of the cases were settled out of court. There are currently over 30 states, most (but not all of them) controlled by Republicans, which have some sort of liability shield laws concerning COVID-19 and have worked efficiently in their stated goal of shielding corporations from any penalties whatsoever.

This case was filed just as Massachusetts announced its highest positive case count since the surge of last

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January and only days after the Center for Disease Control and Prevention (CDC) was exposed once again for covering up the presence of a new and deadlier variant, in this case, XBB.1.5 or “Kraken.” It also coincides with the latest surge which is filling up hospitals across the country but which at present is centered in the Northeast.

While the entertainment industry is known for not sparing any expense when it comes to its stars and directors, it is another story entirely for below the line (BTL) staff, a moniker referring to technical crew roles and actors who are considered non-key cast members, as opposed to those who receive top billing. Unlike above the line crew members, BTL workers are not compensated based on a fixed rate. Instead, they are usually paid by the hour.

In short, these are people which the industry as a whole cannot do without but who are treated as disposable. They are expected to work without breaks for 12 to 18 hours a day, six, sometimes seven days a week, but at the same time, their employment is entirely on a casual basis.

According to a survey conducted by the Actors Fund (now known as the Entertainment Community Fund) of the members they have helped during the pandemic, “76 percent reported loss of income, 62 percent lost part-time or gig employment, 50 percent lost full-time jobs in entertainment and 22 percent said they do not know when they will return to work.”

The fact that most of these workers are unionized yet still must work under such brutal conditions highlights both the treacherous role played by the unions and the need to create rank-and-file committees that are democratically controlled by workers themselves in order to actually fight for decent pay and liveable working conditions.

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