

# Kevin Spacey Lawyer Blitzes Anthony Rapp In Cross-Examination At \$40M Civil Trial – Update

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October 11, 2022 11:52AM PDT



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**UPDATED with latest:** To paraphrase the old Blondie song, Kevin Spacey’s lawyers today tried to rip Anthony Rapp to shreds.

Picking up on the core of her opening statement last week in the \$40 million civil trial, Spacey attorney Jennifer Keller’s cross-examination repeatedly targeted apparent inconsistencies and vague elements of the *Star Trek Discovery* actor’s recollection of the events in and around Spacey’s NYC apartment in 1986.

And she clearly rattled Rapp to some degree, with Spacey sitting just a few feet away. And Judge Lewis A. Kaplan didn't offer the plaintiff witness much solace as Keller hammered away at him.

Toward the end of the first part of today's proceedings in the Manhattan federal courthouse, the judge asked Keller how much longer her cross of Rapp would take. With some degree of understatement, Keller replied that it would be a while.

Picking up after the lunch break, Keller noted in her cross that Rapp gave an awards speech in 2018 crediting the Lupita Nyong'o article in *The New York Times* about her experiences with Harvey Weinstein with prompting him to come forward about Spacey.

Earlier, questioned by his lawyer Peter Saghir, Rapp had said Nyong'o's experience of having to repeatedly see Weinstein after being harassed by him "resonated."

"It's simply not true that her article inspired you, is it?" Keller asked Rapp.

"I don't know how that can't be true," he replied.

She then pulled up a copy of the article dated October 19, 2017, then showed screenshots of his texts to BuzzFeed reporter Adam Vary, a friend, initiating contact about Spacey. The first of them is dated October 11 — eight days earlier — in which Rapp wrote, "I'm wanting to speak about someone else very powerful in our industry." Vary texted back two days later: "I think everyone here wants to be sure your story has the strongest impact possible."

Rapp then testified, "It was how I remember the events unfolding when I thought back on them."

Keller then asked, scornfully, "They weren't 31 years old, were they?"

She argued that the Nyong'o anecdote "would be useful to you to get more sympathy," but Rapp denied that, saying he "conflated" the *NYT* op-ed with the wider Weinstein #MeToo revelations.

Judge Kaplan admonished Rapp multiple times to answer only the questions he was asked. "This will all go a lot better for you if you just listen to the question and answer the question," Kaplan said at one point.

Finally, Rapp said about the op-ed inspiring him to speak out, “That was not true.”

Keller continued to focus on details in the BuzzFeed article, which Rapp said was accurate, including a passage that read he and fellow actor and friend John Barrowman, a high school student visiting from the Chicago area, met Spacey in Manhattan “at one of those late-night post-show gatherings” where actors from different casts gather and mingle.

The attorney said they met Spacey backstage after a Sunday matinee of *Long Day’s Journey Into Night*, where they also were introduced to castmember Jack Lemmon.

When Keller asked what other casts were gathering and mingling, Rapp began another long answer and was chastised by the judge again. The actor ultimately said he omitted the Lemmon meeting until he was deposed and under oath.

Keller then challenged Rapp’s story that suggested Spacey was “picking out two underage boys” at a late-night event to invite them to a nightclub, the Limelight, noting Barrowman was more than four years older than Rapp.

The lawyer then focused on Barrowman’s own deposition, in which he recalled details Rapp that did not. Among those was the three of them having dinner after the meet and greet with Lemmon and going back to Spacey’s apartment later that night, where Barrowman said Spacey flirted with him and gave him “a gentle push” on to the bed and that something sexual might have happened except that Rapp was nearby in the bathroom.

Rapp has said Spacey that gave him a slip of paper with his address and phone number but that he didn’t go there until the now-infamous party.

“It was right after Mr. Barrowman was deposed you realized you had a problem with your story,” Keller said. Rapp replied: “I don’t dispute his story. I just don’t remember it.”

**PREVIOUSLY, 9:17 AM:** Anthony Rapp was back on the witness stand today in the \$40 million sexual misconduct civil trial of two-time Oscar winner Kevin Spacey.

The *Star Trek: Discovery* actor accuses Spacey of fondling him and trapping him inside a New York apartment in 1986, when Rapp was 14 years old. He went public with his claims in October 2017.

Under continued questioning from his own lawyers, Broadway vet Rapp testified Tuesday that he continued to see Spacey films — including *The Usual Suspects*, *Glengarry Glen Ross*, *L.A. Confidential* and *Seven* — in the years following the incident out of a sense of obligation to his own love of film and development as an actor. “I’m an actor, and I love films,” he told the court. “I felt it was part of my job to see them.”

But the last was Best Picture Oscar winner *American Beauty* (1999), in which Spacey’s character has a sexual relationship with a teenage girl. “And that was especially difficult to be in the presence of,” Rapp said, because it felt “unpleasantly familiar.”

With those movies he could brace himself for seeing Spacey, Rapp testified. But 1988’s *Working Girl* was different because he didn’t know beforehand Spacey would be on screen. “Kevin Spacey came on the screen, and it was as if someone had poked me with a cattle prod. I felt like I jumped out of my seat.”

Rapp said that reaction — “adrenaline” and “sweaty palms” — continues even to this day. He said that he saw Spacey entering the courthouse this morning and felt the same “cattle prod.”

Rapp’s allegations were among several that made Spacey an early focus of the #MeToo movement. The *American Beauty* and *The Usual Suspects* Oscar winner and multiple *House of Cards* Emmy nominee faces trial in the UK for alleged sexual assault, with that case set for June, and he is on the hook for \$31 million awarded to *House of Cards* producers Media Rights Capital because the claims hastened the end of the show and were deemed a breach of his acting and producing agreements.

As with all the accusations against him made over the past several years, Spacey denies anything inappropriate ever occurred.

Today’s testimony by Rapp comes after an initial emotional time on the stand for the *Discovery* actor on October 7. Under the questioning of his own lawyer, Rapp detailed last week his allegation that a “glass-eyed” then 26-year-old Spacey “scooped” him up after the Reagan Era party at the older actor’s apartment and climbed on top of the then teenager on the bed. “I knew something was wrong,” Rapp testified as Spacey sat no more than 30-feet

away in the Manhattan federal courtroom. “I had this feeling I had to get out of there. What I was also feeling was frozen.” Rapp declared that after escaping from Spacey’s weight, he hid in the small apartment’s bathroom before scurrying out of the Upper East Side pad. “Are you sure you want to leave?” Spacey asked, according to Rapp, who made it very clear he desperately wanted out of there.

The story first became public in October 2017 not long after the *New York Times* printed their visceral expose of Harvey Weinstein’s years of alleged sexual assaults and harassment. Swimming with Sharks star Spacey almost immediately denied the allegations and took the opportunity to come out as a gay man. Along with the since dismissed pseudonym “C.D.” plaintiff, Rapp sued Spacey in 2020 under New York’s Child Victims Act.

Rapp is expected to be cross examined by Spacey’s defense team later today.

Before the Rent vet first sat before the jury late last week, two other live witnesses, Rapp friend Christopher Denny, and Andy Holtzman, took to the stand, as did Sean Snow by video deposition. Aiming to counter the defense’s contention that Rapp never told anyone about what he says happened with Spacey because he made the whole thing up, Denny and Snow both told the court that their friend had in fact told them about the incident in the 1990s. Also accusing Spacey of sexual misconduct and impropriety, Holtzman said that the actor groped and grinded up against him backstage at the New York Shakespeare Festival Public Theater in 1981. Spacey has denied Holtzman’s claims in a deposition given prior to the Rapp trial

In a trial that is whipping along far faster than anticipated when the proceedings began on October 6, *American Beauty* alum Spacey looks certain to take the stand himself later this week.

Not that the now working again Spacey’s legal troubles will be over if he wins this civil case in the Big Apple.

Having seen an indecent assault and battery case dropped by Massachusetts prosecutors and settled a sexual assault case with the estate of a massage therapist in 2019, the former Old Vic artistic director is set to go to court in the UK next summer for another sexual assault trial. Undoubtedly watching his bank accounts drained by legal bills, the actor also still has the annoying matter of the \$31 million that was awarded to *House of Cards* producers MRC back in late 2020 because his alleged misconduct on the Netflix political

drama constituted a material breach of his acting and executive producing contracts.

This trial looks to wrap up later this week or early next week.

*Sean Piccoli and Erik Pedersen contributed to this report*