

Vanderpump Rules Alum Rachel Leviss Wins Right to Continuing Suing Ex Tom Sandoval

While the judge gave merit to Leviss' claims of eavesdropping and privacy, he ruled that the former beauty queen needed more evidence to prove Sandoval had inflicted "emotional distress"

By **Esther Kang** and **Dave Quinn** | Published on May 24, 2024 07:30PM EDT



(L) Rachel Leviss and Tom Sandoval. PHOTO: STEVE GRANITZ/FILMMAGIC; ELYSE JANKOWSKI/GETTY

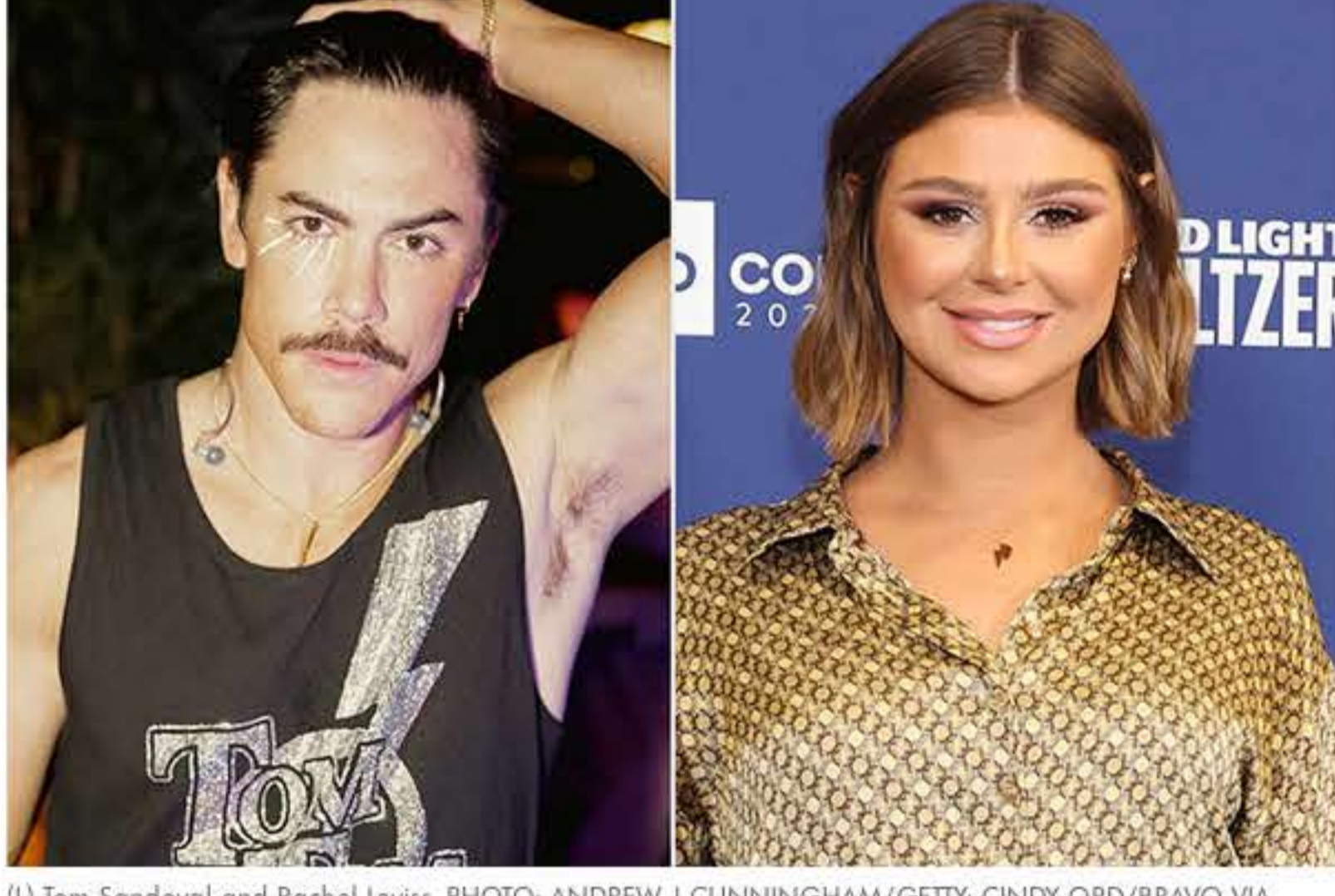
[Rachel Leviss](#) has been granted the ability to move forward with her porn revenge lawsuit against [Tom Sandoval](#).

On Friday, May 24, a Los Angeles County Superior Court Judge, Daniel M. Crowley, ruled that Leviss' claims that her intimate FaceTime conversations with Sandoval, her former *Vanderpump Rules* costar and lover, were adequately considered "contemporaneous" and "confidential," per [Rolling Stone](#).

While she was aware she could be recorded, the court gave merit to the idea that Leviss didn't expect Sandoval to save the footage and make copies, the outlet reported.

"We are pleased with the Court's order, which recognizes that recording someone in sexually compromising ways without her consent violates California law. We will be moving forward aggressively to vindicate Rachel's rights," Leviss' attorney, Bryan Freedman, tells PEOPLE in a statement.

"If Sandoval's illegal recording isn't an invasion of privacy then there is nothing that is private. The Judge decisively ruled that Rachel's rights and privacy were violated as alleged and we obviously agree," Leviss' lawyer, Mark Geragos, claims in his own statement to PEOPLE.



(L) Tom Sandoval and Rachel Leviss. PHOTO: ANDREW J CUNNINGHAM/GETTY; CINDY ORD/BRAVO VIA GETTY

"We are pleased with Judge Crowley's early acknowledgment of Rachel Leviss' failure to state sufficient facts that support her cause of action for intentional infliction of emotional distress against our client Tom Sandoval," Tiffany Krog, Sandoval's attorney, shared in a statement with PEOPLE. "Although the Judge overruled Sandoval's Demurrer to the causes of action for Eavesdropping and Invasion of Privacy, his ruling only shows that Leviss' attorneys were able to plead these claims sufficiently. However, we are confident that Leviss will be unable to prevail on her claims or prove any damages caused by Sandoval."

In February 2024, Leviss [sued](#) Sandoval and Madix for eavesdropping, [revenge porn](#) and invasion of privacy. Claiming she was a "victim of the predatory and dishonest behavior of an older man," Leviss alleged that Sandoval filmed sexually explicit videos "without her knowledge or consent," and that the recordings were "distributed, disseminated, and discussed publicly by a scorned woman [Madix] seeking vengeance."

Shortly after, the Schwartz & Sandys co-owner responded to the lawsuit with [a demurrer motion](#) that claimed Leviss had filmed the videos herself and voluntarily shared them during their "Scandoval" affair.

Though Judge Crowley revealed his plans to uphold Leviss' eavesdropping and invasion of privacy claims, *Rolling Stone* reported that he was open to hearing arguments from Sandoval's attorneys.



(L) Raquel Leviss and Tom Sandoval. PHOTO: VIVIEN KILLILEA/GETTY

"This is a situation where Leviss made videos of herself with her own phone camera and intentionally shared those videos with the defendant. He was not eavesdropping," Krog claimed, arguing that Leviss hadn't adequately proved he had intruded her privacy, per the outlet.

"Her sharing of the video was a contemporaneous sharing, as opposed to an understanding that they could be recorded, true? Isn't the intrusion the recording?" Judge Crowley asked to which Krog responded, "I would say [Sandoval] merely saved a copy of these videos that Leviss was making with her own camera, pointing it at herself and sharing with the defendant."

The judge then pointed out that there was a difference between making intimate videos with an understanding they would "evaporate into the ether" after viewing and knowing she were being recorded "and potentially subject to dissemination."

Leviss' attorney, Jason Sunshine, later claimed during the hearing that the only videos that exist of the exchange were the ones Sandoval recorded, per the outlet.

"This was a videoconference conversation, a FaceTime conversation, and he was secretly recording them for his own personal sexual gratification," Sunshine alleged. "It's clearly invasion of privacy."

Although Judge Crowley ruled in favor of Leviss' eavesdropping and privacy claims, he stated that the information she provided was not enough to proceed with her third claim of emotional distress. Instead, the judge granted her 20 days to amend her filing.