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## APPENDIX A

### CBSC Decision 13/14-0242

#### ***E! re Keeping Up with the Kardashians (“We’re Having a Baby”)***

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*Keeping Up with the Kardashians* is a reality show that follows the lives of members of the Kardashian-Jenner family, primarily mother Kris Jenner and her adult daughters Kim, Khloé and Kourtney Kardashian. Each episode features multiple “plotlines” as the camera crew follows around the various Kardashian members as they go about their lives. Scenes of their daily lives are interspersed with short interview segments in which the Kardashians speak directly to the camera and provide commentary on the activities going on in the episode.

On October 23, 2013 at 4:00 pm, E! broadcast episode 1 of season 8 of the series, entitled “We’re Having a Baby”. E! rated the episode 14+. It did not provide any viewer advisories.

The plotline that concerned the complainant involved Kourtney’s boyfriend Scott Disick trying to convince her to let him perform anal sex on her. Descriptions and transcriptions of the relevant scenes (and the times at which they occurred) are as follows:

16:04:38-16:06:17

At Khloé & Lamar’s house, Rob Kardashian and Scott are talking about women Rob has met. Rob shows Scott a photo on his smartphone.

Scott: The girl’s ass looks really tight. [...] You’ve thrown it in the back door before, right? [subtitles appear on screen to help viewers decipher what is being said because Khloé & Kourtney are talking in background so it’s hard to hear what Scott & Rob are saying]

Rob: Yeah, with two different girls.

Scott: Did you have to lube up?

Rob: No. It was smooth.

Scott: [to Khloé] You’re a big back door fan, right?

Kourtney: Eww. You guys!

interview segment, Kourtney: What is it with grown men and always wanting to put things where they don’t belong?

Kourtney: I will never be back-door betty.

Scott: You don't think Khloé's backdooring it on a [?]?

Khloé: Excuse me, why do you think about that with me? It's so inappropriate.

Rob: A hundred percent y'all are backdoorin' it.

Khloé: Rob, how do you know?

Scott: He knows what's goin' in there and what's not goin' in there.

Khloé: Rob!

Rob: Lamar tells me everything. He says he'd at least do it three times a month. That's solid.

Scott: That's super solid!

interview segment, Scott: Khloé and Lamar definitely doing some super weird things that I don't even know if they're legal. But they're probably fun. And I'd be into doing them too.

[...]

Rob: I'm about to go play ball.

Scott: I'm about to play with my balls.

[...]

Kourtney & Scott in car.

Scott: Can you believe your brother?

Kourtney: Hmm.

Scott: Did you not hear him?

Kourtney: No, I didn't.

Scott: He's been entering through every different angle you could approach in a human being.

Kourtney: Okay.

Scott: I feel like we need to experiment a little bit more. A little back door action.

Kourtney: Ow. And eww.

Scott: You're closing off certain doors. Your doors should all be open.

Kourtney: No.

16:09:00-16:10:23

At Kourtney & Scott's house, in kitchen.

Scott: Oh, hello! Damn, look at the little butt on you in those leather shorts.

Kourtney: Um.

Scott: Come to papa. [Scott pats Kourtney's butt] I feel like you're wearing these to try to promote what I've been asking for.

interview segment, Scott: I can already tell Kourtney is starting to be a little less on the fence with this whole thing. And if you ask me, if I keep knocking, that door's going to open.

Kourtney: [takes cucumber & carrot out of refrigerator] Listen wisely.

Scott: You making salad?

Kourtney: [holds up chocolate donut] This is the brown eye that you speak of.

Scott: Eww.

Kourtney: [pushes carrot through donut] Look at this.

Scott: This is disgusting what you're doing.

Kourtney: This is what you're trying to do to me. [donut falls apart]

Scott: If you want to involve foods ... [takes gummy ring out of candy jar].

Kourtney: Now are you hungry? Because I am.

Scott: Now, I have a different scenario. Let me show you something. [runs gummy ring under tap] Now, unlubed [shows gummy ring to Kourtney] this is your butt of course. And

then [pushes cucumber through ring] what's happening? Oh god, that's starting to feel good you're saying.

Kourtney: Eww.

Scott: Oh, hello.

Kourtney: First of all, that's so disgusting [tries to take cucumber from him].

Scott: What are you getting so angry about?

Kourtney: You really need to get off this backdoor bandwagon.

Scott: I'm not trying to get off it. I'm trying to get in it.

Kourtney: Eww, I just ate a donut with a crumb of a carrot.

Scott: Oh yeah, eat that little dirty donut, you bad girl.

[camera zooms in on cucumber with gummy ring around it sitting on kitchen counter]

16:17:46-16:18:25

Khloé & Kourtney in a store.

Kourtney: [looking at her smartphone] Scott just texted me, "Knock, knock. Who's there? It's my penis knocking on your backdoor."

Khloé: Oh my god.

Kourtney: He will not drop it.

Khloé: Why don't you try it on him and if it doesn't hurt him maybe it won't hurt you?

Kourtney: That's totally such a good idea. Is that what you do at home?

Khloé: [giggles] No, I feel like you should just be like "Oh, you want to bother me so much about it, let's see, are you willing to do it?"

interview segment, Kourtney: Of course Scott would never consider the other way around, so I can definitely have a little fun with it.

16:19:40-16:20:21

At Kourtney & Scott's house, Scott is sitting in bed looking at his smartphone. Kourtney comes in wearing fuchsia silk pyjamas & crawls in to bed.

Scott: Hello. What's up with you?

Kourtney: I've been thinking, my dear. [strokes his head]

Scott: Oh, about my proposition?

Kourtney: Well, it's a scary thought.

Scott: Whatever it is to make you feel better, I am down.

Kourtney: If you tried it, then I would feel much better.

Scott: [looks confused] What are you talking about exactly?

Kourtney: You gotta let me do it to you first.

Scott: [eyes widen] With what?!

Kourtney: I'll get a dildo.

Scott: What!? Wait! Are you insane!? This isn't a two-way street!

16:23:24-16:24:35

At Scott & Kourtney's house, Scott & Kourtney still talking while sitting in bed (part of previous clip repeated).

Scott: Whatever it is to make you feel better, I am down.

Kourtney: If you tried it, then I would feel much better.

Scott: [looks confused] What are you talking about exactly?

Kourtney: You gotta let me do it to you first.

Scott: [eyes widen] With what?!

Kourtney: I'll get a dildo.

Scott: What!? Wait! Are you insane!? This isn't a two-way street! [Kourtney makes knocking noise & gesture with fist] No, don't [makes knock noise with tongue]. You wanna say that you've been with a guy that's taken a big old dildo in his patoon?

Kourtney: Yeah. I'll go like this [makes circular motion with her fist].

Scott: How is this –

Kourtney: Nice and slow.

Scott: How does the sound of you breaking my ass[bleep] virginity?

Kourtney: I'll do it nice and slow and then [makes click noise & thrusts fist forward].

Scott: Eww. [makes high-pitched squeak]

Kourtney: Pop it right on in.

interview segment, Scott: I need to go first! That's not right.

Scott: [closes his eyes & pinches bridge of his nose] What the [bleep], man!?

interview segment, Scott: This is one single door. I'm not knocking from the other side.

Scott: The fact that you would even want to do that to me is [?] –

Kourtney: After that, I'm all yours.

Scott: This is very tricky and weird. I'm going to call this bluff, though.

Kourtney: It's a date.

16:33:19-16:35:11

At Kourtney & Scott's house, Kourtney is sitting by the fireplace. She opens a red box and takes out a black harness and what appears to be a purple dildo, though it is blurred out throughout the entire scene. She attaches the dildo to the harness.

Kourtney: This is so hot. Oh yeah.

interview segment, Kourtney: I mean, this is just the most bizarre thing that I've probably ever done in my life. And Scott is going to be absolutely terrified and hopefully never bother me about this backdoor business ever again.

Kourtney puts the dildo on and goes downstairs where Scott is sitting in a chair. She approaches him from behind and brings the dildo near him. Scott, startled, turns around to look at her.

Scott: What is that little thing? [Kourtney rotates her hips provocatively] What the hell are you doing?

Kourtney: Tonight's the night.

Scott: Tonight's the night what, that you become a man?

Kourtney: Come here.

Scott: Is this some kind of joke?

Kourtney: [lifts her leg up near Scott's] Suck it.

Scott: Get out of here, you little freak!

Kourtney: Oh yeah. [she chases Scott from room to room with the dildo flopping]

Scott: Stop it! Are you nuts! Get that away!

interview segment, Kourtney: I'm just having way too much fun with this. Scott is so freaked out.

Kourtney jumps up and down so the dildo flops around.

Scott: Are you jo-, how do you expect me to ever sleep with you again? [Kourtney starts doing jumping-jacks] I'm living with a real freak.

Kourtney: I got the room nice and romantic.

Scott: For wha-, what are you going to do with this? [points at dildo]

Kourtney: Break you open. [takes purple dildo off harness & holds it in her hand]

Scott: Are you insane?

interview segment, Scott: I've seen Kourtney do some pretty weird things in my day, but walkin' around with a little schmeckle in front of her is making me think that I may have to become celibate after this.

Kourtney lies on the bed and Scott is now holding the dildo.

Scott: Oh my god. This is so disgusting.

Kourtney: Yeah, and you're the one who started it, so I'll leave you alone if you leave me alone.

Scott: I'm starting to kind of understand your side of this now.

Kourtney: Yeah, exactly. Exact same way you feel about this is exactly how I feel about this. [Scott tosses dildo aside] I never want to hear about it again.

Scott: I will never even think about it again.

Kourtney: Okay.

interview segment, Kourtney: I'm definitely going to hold on to this little toy because if Scott ever forgets, I'm whipping that thing out and then I'll shove it right in there.

Kourtney chuckles.

Scott: Ay yie yie.

Kourtney: "Ay yie yie" is right.