

Redstone unlikely to take mental exam in penthouse lawsuit

By Julia Marsh

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A Manhattan judge said she's unlikely to force ailing media titan Sumner Redstone to submit to a competency test in his ex-girlfriend's lawsuit over their \$3.75 million Hotel Carlyle penthouse.

"To require a person to sit for a mental exam is a severe invasion of privacy, period," said Redstone's attorney Howard Elman in Manhattan Supreme Court Thursday.

The 94-year-old Viacom founder sued his ex-Manuela Herzer last year to block her from inheriting the East 76th Street pad, which in 2015 he'd promised to gift her when he died.

But Herzer believes her billionaire ex is not mentally fit enough to sue her for the apartment.

She wants a doctor to do an hour-long exam at his Beverly Hills home to prove he's competent.

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“That would shed extensive light on this case as to whether or not he’s calling any shots,” her attorney Ronald Richards told Justice Erika Edwards.

“We have no idea if Mr. Redstone is even authorizing this action,” Richards said

Herzer has accused Sumner’s daughter Shari Redstone of orchestrating the suit.

Judge Edwards, who insisted on holding the hearing without a court reporter present and partially out of earshot of the press, said she’d rule on the doctor’s visit in the near future.

But, she added, “I believe I will most likely not order a mental exam.”

Richards also asked the judge to expedite the case, saying Redstone “could die any minute” because “he’s old and he has health problems.”

Judge Edwards asked the parties to consider a monetary settlement, but Richards replied that you can’t put a pricetag on a coveted Carlyle co-op.

“This is a unique piece of real estate. It took my client a long time to become a member of this cooperative. It’s a very prestigious building,” Richards said.

The iconic hotel has welcome presidents like John F. Kennedy Jr. and celebrities including George and Amal Clooney.