

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

Index #  
Date of filing:

-----X

KANG CHUN WONG,

Plaintiff designates New York  
County as the place of trial

Plaintiff,

Basis of the venue is the Locus  
of Occurrence

-against-

**SUMMONS**

THE CITY OF NEW YORK, THE NEW YORK CITY  
POLICE DEPARTMENT, POLICE OFFICER JEFFREY  
LOO-Shield # 1529 and JOHN AND JANE DOES-Police  
Officers as yet unidentified,

Plaintiff resides at  
207 West 97<sup>th</sup> Street, Apt# 5C  
New York, New York 10025

Defendants.

County of New York

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**TO THE ABOVE NAMED DEFENDANT:**

**YOU ARE HEREBY SUMMONED** to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in the case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded herein.

**Defendant's address:**  
THE CITY OF NEW YORK  
100 Church Street  
New York, New York 10007

**Plaintiff's attorneys:**  
RUBENSTEIN & RYNECKI, ESQS.  
16 Court Street, Suite 1717  
Brooklyn, New York 11241  
(718)522-1020

THE NEW YORK CITY POLICE  
DEPARTMENT  
100 Church Street  
New York, New York 10007

POLICE OFFICER JEFFREY LOO-Shield #  
1529 c/o New York City Police Department-24<sup>th</sup>  
Precinct  
151 West 100<sup>th</sup> Street  
New York, New York 10025

Dated: Brooklyn, New York  
August 7, 2014

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X  
KANG CHUN WONG,

Plaintiff,

-against-

THE CITY OF NEW YORK, THE NEW YORK CITY  
POLICE DEPARTMENT, POLICE OFFICER JEFFREY  
LOO-Shield # 1529 and JOHN AND JANE DOES-Police  
Officers as yet unidentified,

Defendants.  
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Index No.:

COMPLAINT

Plaintiff, by his attorneys, RUBENSTEIN & RYNECKI, ESQS., complaining of the defendants herein, upon information and belief, respectfully shows to this Court, and alleges as follows:

**AS AND FOR A FIRST CAUSE OF ACTION FOR ASSAULT  
AND BATTERY ON BEHALF OF KANG CHUN WONG**

1. That at all times hereinafter mentioned, plaintiff was and still is a resident of the County, City and State of New York.
2. That all times hereinafter mentioned, the defendant, THE CITY OF NEW YORK, was and still is a municipal corporation, duly organized and existing pursuant to the laws of the State of New York.
3. That the defendant, THE CITY OF NEW YORK, maintains a police force known as the NEW YORK CITY POLICE DEPARTMENT.
4. That prior hereto on January 27, 2014 and within the time prescribed by law, a sworn Notice of Claim stating, among other things, the time when and place where the injuries and damages were sustained, together with plaintiff's demands for adjustment or payment thereof, and that thereafter the CITY OF NEW YORK refused or neglected for more than (30) days and up to the commencement of this action to make any adjustment or payment thereof, and that thereafter, and within the time provided by law, this action was commenced.

5. Pursuant to the General Municipal Law, the Statutory 50-H hearing of the plaintiff was held on July 29, 2014.

6. That on January 19, 2014, and at all times hereinafter mentioned and upon information and belief, defendants, THE CITY OF NEW YORK and THE NEW YORK CITY POLICE DEPARTMENT, employed POLICE OFFICER JEFFREY LOO-Shield # 1529 and JOHN DOES-Police Officers as yet unidentified, as agents, servants and/or employees.

7. That on January 19, 2014, and at all times hereinafter mentioned and upon information and belief, the plaintiff, KANG CHUN WONG, was lawfully present at or about the intersection of 96<sup>th</sup> Street and Broadway, County, City and State of New York.

8. That on January 19, 2014, and at all times hereinafter mentioned and upon information and belief, the plaintiff, KANG CHUN WONG, was assaulted and battered by defendants, POLICE OFFICER JEFFREY LOO-Shield # 1529 and JOHN AND JANE DOES-Police Officers as yet unidentified, who were acting within the scope of their employment with the defendants, THE CITY OF NEW YORK and THE NEW YORK CITY POLICE DEPARTMENT, at the aforesaid premises.

9. That on January 19, 2014, and at all times hereinafter mentioned and upon information and belief, the aforementioned assault and battery was performed knowingly, intentionally and willfully.

10. That on January 19, 2014, and at all times hereinafter mentioned and upon information and belief the defendants, POLICE OFFICER JEFFREY LOO-Shield # 1529 and JOHN AND JANE DOES-Police Officers as yet unidentified, who committed the aforementioned assault and battery upon the plaintiff, KANG CHUN WONG, were acting within the scope of their employment with the defendants, THE CITY OF NEW YORK and THE NEW YORK CITY POLICE DEPARTMENT.

11. That on January 19, 2014, and at all times hereinafter mentioned and upon information and belief, the assault and battery on the plaintiff was without probable cause and was not the result of an appropriate arrest.

12. By reason of said assault and battery the plaintiff was caused to suffer severe and serious injuries in and about diverse parts of the person, and suffered great pain, distress, mental

shock, mental anguish and psychological trauma and was otherwise injured.

13. By the reason of the foregoing, the plaintiff, KANG CHUN WONG, sustained damages in an amount exceeding the jurisdictional limits of all the lower Courts.

**AS AND FOR A SECOND CAUSE OF ACTION FOR FALSE  
ARREST ON BEHALF OF KANG CHUN WONG**

14. The plaintiff repeats and realleges each and every allegation set forth above numbered "1" through "13" inclusive with the same force and effect as if more fully set forth at length herein.

15. That on January 19, 2014, and at all times hereinafter mentioned and upon information and belief, defendants, POLICE OFFICER JEFFREY LOO-Shield # 1529 and JOHN AND JANE DOES-Police Officers as yet unidentified, were working within the scope of their employment and authority with defendants, THE CITY OF NEW YORK and THE NEW YORK CITY POLICE DEPARTMENT, when they arrested and confined the plaintiff, KANG CHUN WONG

16. That on January 19, 2014, and at all times hereinafter mentioned and upon information and belief, the arrest and confinement was without probable cause nor based on reasonable grounds and not founded upon an arrest warrant.

17. That as a result of the aforesaid false arrest and confinement, plaintiff, KANG CHUN WONG, sustained serious permanent personal injuries along with humiliation, shame, indignity, damage to reputation and credit and suffered emotional and physical distress and injuries.

18. By the reason of the foregoing, the plaintiff, KANG CHUN WONG, sustained damages in an amount exceeding the jurisdictional limits of all the lower Courts.

**AS AND FOR A THIRD CAUSE OF ACTION FOR NEGLIGENT  
HIRING AND RETENTION ON BEHALF OF KANG CHUN WONG**

19. The plaintiff repeats and realleges each and every allegation set forth above numbered "1" through "18" inclusive with the same force and effect as if more fully set forth at

length herein.

20. That defendants, THE CITY OF NEW YORK and THE NEW YORK CITY POLICE DEPARTMENT, did not exercise reasonable care and diligence in the selection, engagement, employment and training of their agents, servants, and employees and were negligent in the hiring, training and retention of the defendants, POLICE OFFICER JEFFREY LOO-Shield # 1529 and JOHN AND JANE DOES-Police Officers as yet unidentified, who assaulted, battered and violated the civil rights of the plaintiff, KANG CHUN WONG.

21. That the defendants, THE CITY OF NEW YORK and THE NEW YORK CITY POLICE DEPARTMENT, had prior knowledge of the inappropriate, unlawful, and improper conduct of the defendants, POLICE OFFICER JEFFREY LOO-Shield # 1529 and JOHN AND JANE DOES-Police Officers as yet unidentified, and continued to employ them and allowed them to be in contact with the public at large.

22. By the reason of the foregoing, the plaintiff, KANG CHUN WONG, sustained damages in an amount exceeding the jurisdictional limits of all the lower Courts.

**AS AND FOR A FOURTH CAUSE OF ACTION FOR FALSE IMPRISONMENT ON BEHALF OF KANG CHUN WONG**

23. The plaintiff repeats and realleges each and every allegation set forth above numbered "1 through "22" inclusive with the same force and effect as if more fully set forth at length herein.

24. That on January 19, 2014, and at all times hereinafter mentioned and upon information and belief, defendants, POLICE OFFICER JEFFREY LOO-Shield # 1529 and JOHN AND JANE DOES-Police Officers as yet unidentified, were acting within the scope of their employment when they, without justification and without probable cause, imprisoned the plaintiff.

25. That defendants, POLICE OFFICER JEFFREY LOO-Shield # 1529 and JOHN AND JANE DOES-Police Officers as yet unidentified, while acting within the scope of their employment, intentionally confined the plaintiff against his will and said confinement was not privileged.

26. By the reason of the foregoing, the plaintiff, KANG CHUN WONG, sustained damages in an amount exceeding the jurisdictional limits of all the lower Courts.

**AS AND FOR A FIFTH CAUSE OF ACTION FOR INTENTIONAL  
AND NEGLIGENT INFLICTION OF EMOTIONAL  
DISTRESS ON BEHALF OF KANG CHUN WONG**

27. The plaintiff repeats and realleges each and every allegation set forth above numbered "1" through "26" inclusive with the same force and effect as if more fully set forth at length herein.

28. The defendants, THE CITY OF NEW YORK and THE NEW YORK CITY POLICE DEPARTMENT, including but not limited to POLICE OFFICER JEFFREY LOO-Shield # 1529 and JOHN AND JANE DOES-Police Officers as yet unidentified, acted intentionally, recklessly and with utter disregard to the consequences of their actions and caused severe emotional distress to the plaintiff through their actions.

29. Said actions exceeded all reasonable bounds of decency, were outrageous and shocking and resulted in severe emotional distress to the plaintiff, KANG CHUN WONG

30. That as a result of said intentional and negligent acts, the plaintiff, KANG CHUN WONG, become sick, sore, lame and disabled, received severe and serious injuries in and about diverse parts of his person and suffered great physical pain, distress, mental shock, mental anguish and psychological trauma and was otherwise injured.

31. By reason of the foregoing, the plaintiff, KANG CHUN WONG, sustained damages in an amount exceeding the jurisdictional limits of all the lower Courts.

**AS AND FOR A SIXTH CAUSE OF ACTION FOR MALICIOUS  
PROSECUTION ON BEHALF OF KANG CHUN WONG**

32. The plaintiff repeats and realleges each and every allegation set forth above numbered "1" through "31" inclusive with the same force and effect as if more fully set forth at length herein.



33. That on January 19, 2014, and at all times hereinafter mentioned and upon information and belief, defendants, POLICE OFFICER JEFFREY LOO-Shield # 1529 and JOHN AND JANE DOES-Police Officers as yet unidentified, within the scope of their employment, without justification, without probable cause, created and submitted an erroneous police report in an effort to cover up the aforesaid and initiate a prosecution in bad faith.

34. That on January 19, 2014, and at all times hereinafter mentioned and upon information and belief, defendants, POLICE OFFICER JEFFREY LOO-Shield # 1529 and JOHN AND JANE DOES-Police Officers as yet unidentified, were acting within the scope of their employment, maliciously prosecuted the plaintiff.

35. That on January 19, 2014, and at all times hereinafter mentioned and upon information and belief, as a result of the aforesaid malicious prosecution, plaintiff sustained serious, permanent, personal injuries along with humiliation, shame, indignity, damage to reputation and credit, legal fees, suffered emotional and physical distress and injury.

36. By reason of the foregoing, plaintiff, KANG CHUN WONG, sustained damages in an amount exceeding the jurisdictional limits of all the lower Courts.

**AS AND FOR A SEVENTH CAUSE OF ACTION FOR CIVIL RIGHTS VIOLATION ON BEHALF OF KANG CHUN WONG**

37. The plaintiff repeats and realleges each and every allegation set forth above numbered "1" through "36" inclusive with the same force and effect as if more fully set forth at length herein.

38. The defendants, THE CITY OF NEW YORK and THE NEW YORK CITY POLICE DEPARTMENT, including but not limited to POLICE OFFICER JEFFREY LOO-Shield # 1529 and JOHN AND JANE DOES-Police Officers as yet unidentified, were acting under the color of law and within the scope of their authority, assaulted, battered, falsely arrested and falsely imprisoned the plaintiff, KANG CHUN WONG, in violation of 42 U.S.C.A. section 1983 as well as other applicable state and federal laws.

39. The defendants, THE CITY OF NEW YORK and THE NEW YORK CITY POLICE DEPARTMENT, including but not limited to POLICE OFFICER JEFFREY LOO-Shield # 1529 and JOHN AND JANE DOES-Police Officers as yet unidentified, acting under color of law and within the scope of their authority, deprived the plaintiff, KANG CHUN WONG, of liberty without due process and without reasonable cause in violation of 42 U.S.C.A. Section 1983 as well as other applicable state and federal laws.

40. The defendants had deprived the plaintiff by their actions of his civil rights as guaranteed by statute.

41. That the assault, battery, false arrest and false imprisonment was in violation of the civil rights of the plaintiff, more particularly, 42 U.S.C.A. Section 1983 as well as other applicable state and federal laws.

42. That the deprivation by the defendants of plaintiff's civil rights was a result of said defendants, THE CITY OF NEW YORK and THE NEW YORK CITY POLICE DEPARTMENT, including but not limited to POLICE OFFICER JEFFREY LOO-Shield # 1529 and JOHN AND JANE DOES-Police Officers as yet unidentified, acting under color of law and within their authority as law enforcement officers within the employ of defendants, THE CITY OF NEW YORK and THE NEW YORK CITY POLICE DEPARTMENT.

43. That the defendants' actions were not privileged or immune.

44. That the defendants, THE CITY OF NEW YORK and THE NEW YORK CITY POLICE DEPARTMENT, including but not limited to POLICE OFFICER JEFFREY LOO-Shield # 1529 and JOHN AND JANE DOES-Police Officers as yet unidentified, were not acting with immunity when they deprived plaintiff of his civil rights.

45. By the reason of the foregoing, the plaintiff, KANG CHUN WONG, sustained damages in an amount exceeding the jurisdictional limits of all the lower Courts.

**AS AND FOR AN EIGHTH CAUSE OF ACTION FOR  
PUNITIVE DAMAGES ON BEHALF OF KANG CHUN WONG**

46. The plaintiff repeats and realleges each and every allegation set forth above numbered "1" through "45" inclusive with the same force and effect as if more fully set forth at



length herein.

47. The actions of the defendants herein-above alleged, were malicious, willful and grossly negligent.

48. The defendants, THE CITY OF NEW YORK and THE NEW YORK CITY POLICE DEPARTMENT, authorized, permitted and ratified the unlawful and negligent acts of their agents, servants and/or employees, including but not limited to POLICE OFFICER JEFFREY LOO-Shield # 1529 and JOHN AND JANE DOES-Police Officers as yet unidentified, herein-above alleged.

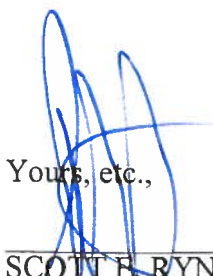
49. By the reason of the foregoing, the plaintiff, KANG CHUN WONG, sustained damages in an amount exceeding the jurisdictional limits of all the lower Courts.

**WHEREFORE**, plaintiff, KANG CHUN WONG, demands judgment both compensatory and exemplary in an amount exceeding the jurisdictional limits of all lower Courts on the **First** Cause of Action; plaintiff, KANG CHUN WONG, demands judgment both compensatory and exemplary in an amount exceeding the jurisdictional limits of all lower Courts on the **Second** Cause of Action; plaintiff, KANG CHUN WONG, demands judgment both compensatory and exemplary in an amount exceeding the jurisdictional limits of all lower Courts on the **Third** Cause of Action; plaintiff, KANG CHUN WONG, demands judgment both compensatory and exemplary in an amount exceeding the jurisdictional limits of all lower Courts on the **Fourth** Cause of Action; plaintiff, KANG CHUN WONG, demands judgment both compensatory and exemplary in an amount exceeding the jurisdictional limits of all lower Courts on the **Fifth** Cause of Action; plaintiff, KANG CHUN WONG, demands judgment both compensatory and exemplary in an amount exceeding the jurisdictional limits of all lower Courts on the **Sixth** Cause of Action; plaintiff, KANG CHUN WONG, demands judgment both compensatory and exemplary in an amount exceeding the jurisdictional limits of all lower Courts on the **Seventh** Cause of Action; plaintiff, KANG CHUN WONG, demands judgment both compensatory and exemplary in an amount exceeding the jurisdictional limits of all lower Courts

on the **Eighth** Cause of Action; together with attorneys' fees, and the costs and disbursements of this action.

DATED: Brooklyn, New York  
August 7, 2014

Yours, etc.,



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SCOTT B. RYNECKI, ESQ.  
RUBENSTEIN & RYNECKI, ESQS.  
Attorneys for Plaintiff  
KANG CHUN WONG  
16 Court Street Suite 1717  
Brooklyn, New York 11241  
(718) 522-1020  
File No.: 14KW01-19

**INDIVIDUAL VERIFICATION**

STATE OF NEW YORK )

) SS:

COUNTY OF KINGS )

KANG CHUN WONG, being duly sworn, deposes and says, that deponent is the plaintiff in the within action; that deponent has read the foregoing **COMPLAINT** and knows the contents hereof; that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters deponent believes them to be true.

  
KANG CHUN WONG

Sworn to before me this 18<sup>th</sup>  
day of August, 2014

  
NOTARY PUBLIC

MAGDA MARIN-COLON  
Notary Public, State of New York  
No. 01MA6158891  
Qualified in Richmond County  
Commission Expires 1-16-20 15

PLEASE take notice that the within is a (certified) true copy of a duly entered in the office of the clerk of the within named court on

1 Dated, Yours, etc.

1 RUBENSTEIN & RYNECKI ESQS.

Attorneys for

Office and Post Office Address  
16 COURT ST.  
BROOKLYN, N.Y. 11241

To

Attorney(s) for

NOTICE OF SETTLEMENT

PLEASE take notice that an order

of which the within is a true copy will be presented for settlement to the Hon.

one of the judges of the within named Court, at

on

at M.

Dated, Yours, etc.

RUBENSTEIN & RYNECKI ESQS.

Attorneys for

Office and Post Office Address  
16 COURT ST.  
BROOKLYN, N.Y. 11241

1  
1  
To

Attorney(s) for

Index No.

Year

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

KANG CHUN WONG,

Plaintiff,

-against-

THE CITY OF NEW YORK, THE NEW YORK CITY POLICE DEPARTMENT,  
POLICE OFFICER JEFFREY LOO-Shield # 1529 and JOHN AND JANE DOES, Police  
Officers as yet unidentified,

Defendants,

SUMMONS AND COMPLAINT

Signature (Rule 130-1.1-a)

Print name beneath

RUBENSTEIN & RYNECKI ESQS.

Attorneys for

Office and Post Office Address, Telephone  
16 COURT ST.  
BROOKLYN, N.Y. 11241  
(718) 522-1020

To

Attorney(s) for

Service of a copy of the within is hereby admitted.  
Dated

.....

Attorney(s) for