

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

-----X

SUPRIYA LAKNIDHI

Index No.

Plaintiff,

SUMMONS

-against-

ABILTO, INC.  
and MICHAEL LASKOFF

Defendants.

-----X

TO THE ABOVE NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED and required to serve upon the plaintiff's attorney, an answer to the annexed complaint, which is herewith served upon you with all relevant pleadings in the action, within twenty (20) days after the service thereof, exclusive of the day of service, or within thirty (30) days after service is complete if service is made by any method other than personal delivery to you within the State of New York.

In case of your failure to answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York  
February 9, 2015

Yours etc.

By 

VINCENT E. BAUER  
Law Offices of Vincent E. Bauer  
Attorney for Plaintiff  
112 Madison Avenue, 5<sup>th</sup> Floor  
New York, NY 10016

Ph: (212) 575-1517  
Fax: (212) 689-2726

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

-----X

SUPRIYA LAKNIDHI

Plaintiff,

Index No.

COMPLAINT

-against-

ABILTO, INC.  
and MICHAEL LASKOFF

Defendants.

-----X

Plaintiff SUPRIYA LAKNIDHI ("Plaintiff") by and through her attorneys, The Law Offices of Vincent E. Bauer, as and for her Complaint, alleges as follows:

1. This is an action brought to redress egregious, intentional harassment and discrimination against Plaintiff because of her pregnancy (and associated need for pregnancy leave and post-pregnancy accommodations) by Defendants Abilto, Inc. ("Abilto") and Michael Laskoff, which culminated in the unlawful termination of Plaintiff's employment.

**PARTIES, JURISDICTION AND VENUE**

2. At all relevant times, Plaintiff has resided and still resides in New York County, New York.

3. Upon information and belief, Defendant Abilto is a corporation with a principal place of business located in New York, NY. Abilto employed Plaintiff within the county and state of New York, and regularly conducts business in New York County.

4. Upon information and belief, Defendant Laskoff is an individual employed by Abilto as Chief Executive Officer, who lives and who works in the county of New York, NY.

5. The jurisdiction of this Court is predicated upon New York Civil Practice Law and Rules Sections 301 and 302. Venue is properly laid in New York County, which is the county in which Plaintiff was employed and resides.

### **FACTUAL BACKGROUND**

6. Ms. Laknidhi was employed by AbilTo between April 7 and November 4, 2014.

7. Prior to commencing her employment with AbilTo, Ms. Laknidhi had numerous interactions with Defendant Laskoff. First, on January 21, 2014, Mr. Laskoff emailed Ms. Laknidhi, saying he had the “ideal job for [her].”

8. On January 23, Ms. Laknidhi met Mr. Laskoff at AbilTo’s offices to discuss the job. He offered her a Director of Communications role, reporting directly to him.

9. He said that AbilTo was going to enter the big leagues soon, because they were getting a round of funding, and that they needed someone to define their position in the marketplace and to work on a new website with new positioning. In addition, he wanted to get AbilTo in the press, both consumer and trade.

10. At the time, Ms. Laknidhi was working at Prophet Brand Strategy, and was about to receive a promotion and pay raise.

11. During that meeting, Ms. Laknidhi was candid with Mr. Laskoff. She told him that she needed to think about his offer. She also mentioned to him that she was 10

weeks pregnant, and that, because she had suffered 2 miscarriages the prior year, she was hopeful but not convinced that her pregnancy would last to full-term.

12. She also wanted him to know that, if the baby survived, she would have to take a maternity leave during her first year of employment. Significantly, Mr. Laskoff told her in response that he was hiring her for a "long while".

13. On February 5, Ms. Laknidhi had a phone call with Mr. Laskoff to discuss her start date. He wanted her to start immediately, because he thought the need for the Marketing position was critical.

14. She asked him if she could instead consult with AbilTo while working at Prophet, and start full-time at AbilTo after her maternity leave. He was adamant that the position had to be filled as soon as possible, and said that at most he would wait for her to get her bonus from Prophet (which was to be paid at the end of March).

15. It was subsequently agreed that Ms. Laknidhi would start work at AbilTo on April 7. She and Mr. Laskoff agreed on a 2 month maternity leave, and a flexible work schedule during Ms. Laknidhi's first month back following her leave. Curiously, although Mr. Laskoff agreed to those terms, he did not want to put that agreement in writing.

16. On April 7, Ms. Laknidhi started working at AbilTo, in the position of Vice President of Marketing and Strategy. Of course, she was more apparently pregnant than when Mr. Laskoff had first reached out to her.

17. Immediately, Mr. Laskoff began making daily inappropriate comments, such as "can you have that baby soon, already", and "Supriya, when are you going to pop".

18. Alarminglly, he also asked her “can you make the conference October 14 in San Diego” (when Ms. Laknidhi was supposed to be on maternity leave).

19. Ms. Laknidhi repeatedly asked Mr. Laskoff not to say things like “pop that baby soon” because they brought to mind thoughts of a premature delivery. Mr. Laskoff ignored those requests.

20. In April, 2014, Ms. Laknidhi presented her Marketing and Strategy plan to the Board. The Board was very appreciative of the plan and the year-long Marketing and Strategy timeline.

21. On July 3, AbilTo launched its new brand positioning and visual identity through its new abilito.com website. Shortly following the launch, Ms. Laknidhi received numerous emails from Board members and AbilTo employees commending her brand positioning, visual identity and website redesign.

22. The problems with Mr. Laskoff persisted through the summer. For example, he would make daily comments like “wow, I cannot believe you are still pregnant”, “woah, you look more pregnant than ever”, and “are you ever going to have that baby”?

23. In August, just prior to her maternity leave, Ms. Laknidhi asked to report to Julie Donahue, AbilTo’s Chief Growth Officer, because she was getting frustrated with the comments that Mr. Laskoff was making, and did not think that he would be able to work with a new mother on his management team.

24. On August 24, Ms. Laknidhi gave birth to a son, and started her two-month maternity leave.

25. In mid – October, Ms. Laknidhi had a conversation and email exchange with Ms. Donahue about returning to work, in terms of tasks and logistics. In terms of

logistics, Ms. Donahue suggested Ms. Laknidhi work from home, because there was no sanitary place in the AbilTo offices for her to pump breast milk.

26. On October 27, Ms. Laknidhi started working from home. Between October 27 and November 4, Ms. Laknidhi received praise from Ms. Donahue and others on the work she had produced.

27. Ms. Laknidhi tried to arrange a meeting with Mr. Laskoff (per Ms. Donahue's suggestion) to discuss on what she would be working, but he was not responsive. His administrative assistant finally put a meeting on the calendar for November 4. That meeting was subsequently cancelled. Significantly, Mr. Laskoff never spoke to Ms. Laknidhi between the time of her return from maternity leave and the date of her termination.

28. In the meanwhile, Ms. Laknidhi reached out to the new Chief People Officer, Rodolfo Coelho, and asked to talk to him just to catch up. They scheduled a meeting for the afternoon of November 4.

29. During the morning of November 4, Ms. Donahue called Ms. Laknidhi. She said to her "we have a problem. Michael called me into his office and asked me why you are working from home, and said he doesn't value the work you are doing. I told him that you are very valuable, but he has 'turned a switch' when it comes to you". She also told Ms. Laknidhi "I can't save you."

30. Ms. Laknidhi said to Ms. Donahue, "I would like to talk to Michael and work this out and ask for feedback, to get a sense of what we can do to work well going forward. I value AbilTo and want to be a part of the success."

31. Julie agreed that a discussion was a good idea, and said she would broker a conversation between Ms. Laknidhi and Mr. Laskoff.

32. That afternoon, Ms. Laknidhi got a call from Mr. Coelho, who cryptically asked her for her "perspective". Ms. Laknidhi was confused, but told Mr. Coelho how much she enjoyed being back at work.

33. She got the sense he wanted her to speak about Mr. Laskoff, so she said that she had heard that Mr. Laskoff no longer valued her, and that she did not understand why, because she had done a great job before she began her maternity leave, and was again doing a great job.

34. Mr. Coelho replied, "You have a good understanding of the situation, but the situation is not all personal. There is no longer a need for a VP of Marketing and Strategy; the position is eliminated. We can go back in history and talk about why we hired a VP of Marketing and Strategy, but instead we should focus on what to do going forward, especially since you have had a new life transition. Do you have any questions?"

35. Ms. Laknidhi replied "There are a lot of skills I can bring to the company – should we not talk about other roles that I can fill?" Mr. Coelho responded "Supriya, there is no other VP role for you here. Everyone is focused on sales, and you cannot do that job now because it is 60-80% travel. You should focus on your new life transition – it is such an important time in your life." Ms. Laknidhi was not offered that sales position.

36. Ms. Laknidhi's employment was terminated, effective November 4.



37. Ms. Laknidhi's termination was motivated by Mr. Laskoff's animus against her for giving birth to her child and taking a related (and agreed-upon) leave of absence, as well as for accepting the accommodation proposed to her by her employer concerning working from home in order to breastfeed.

**FIRST CAUSE OF ACTION  
HARASSMENT  
(against both Defendants)**

38. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 37 of the Complaint as though fully set forth herein.

39. The conduct of Defendant Laskoff, as described above, all of which was objectively and subjectively offensive, constituted hostile environment harassment in violation of the New York Human Rights Law, as contained in the Executive Law of the State of New York, and the New York City Administrative Code.

40. As a direct and proximate result of the continuing unlawful practices by Defendants, Plaintiff has suffered and continues to suffer economic damages, as well as emotional pain and suffering.

41. By reason of the foregoing, Plaintiff is entitled to recover damages from Defendants.

**SECOND CAUSE OF ACTION  
DISCRIMINATION  
(against both Defendants)**

42. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 41 of the Complaint as though fully set forth herein.

43. The conduct of Defendant Laskoff, as described above, constituted pregnancy discrimination in violation of the New York Human Rights Law, as contained in the

Executive Law of the State of New York, and the New York City Administrative Code, as amended.

44. As a direct and proximate result of the continuing unlawful practices by Defendants, Plaintiff has suffered and continues to suffer economic damages, as well as emotional pain and suffering.

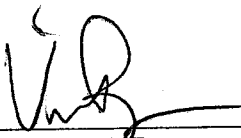
45. By reason of the foregoing, Plaintiff is entitled to recover damages from Defendants.

WHEREFORE, Plaintiff demands judgment:

1. For economic, compensatory, and punitive damages in an amount to be determined at trial;
2. For reasonable costs and attorneys' fees incurred in connection with the prosecution of this action; and
3. For such other and further relief as the Court deems proper, together with the costs and disbursements of this action.

A jury trial of this action is hereby demanded.

Dated: February 9, 2015  
New York, NY



---

Vincent E. Bauer  
Law Offices of Vincent E. Bauer  
112 Madison Avenue, 5<sup>th</sup> Floor  
New York, NY 10016  
Ph: (212) 575-1517  
Fax: (212) 689-2726

Attorneys for Plaintiff

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

---

SUPRIYA LAKNIDHI

Plaintiff,

against -

ABILTO, INC. and MICHAEL LASKOFF

Defendants.

---

Index No.

---

Vincent E. Bauer  
Law Offices of Vincent E. Bauer  
112 Madison Avenue, 5<sup>th</sup> Floor  
New York, NY 10016  
Tel: (212) 575-1517  
Fax: (212) 689-2726

General Counsel for Plaintiff