

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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BENJAMIN LI'GON,

*Plaintiff,*

v.

THE AMERICAN SOCIETY FOR THE PREVENTION OF  
CRUELTY TO ANIMALS,

*Defendant.*  
-----x

Case No.: \_\_\_\_\_

**COMPLAINT**

Plaintiff, Benjamin Li'Gon, by his attorneys, The Harman Firm, PC, for his complaint against Defendant, alleges:

**NATURE OF THIS ACTION**

1. In this action, Plaintiff Benjamin Li'Gon ("Plaintiff" or "Li'Gon") seeks damages against his former employer, Defendant The American Society for the Prevention of Cruelty to Animals ("Defendant" or "ASPCA") for discriminating against him by terminating his employment based on his race, in violation of Civil Rights Act of 1886, 42 U.S.C. § 1981 ("§ 1981"); and terminating his employment based on his race, gender and sexual orientation, in violation of the New York City Human Rights Law, N.Y.C. Admin. Code §§ 8-101 to 8-131 ("NYCHRL").

**JURISDICTION AND VENUE**

2. Pursuant to 28 U.S.C. § 1331, this Court has jurisdiction over Plaintiff's claims as Defendant violated Plaintiff's rights under § 1981.

3. Pursuant to 28 U.S.C. § 1367, this Court has supplemental jurisdiction over Plaintiff's claims brought under the NYCHRL as the NYCHRL claims are so related to claims in the action within such original jurisdiction that they form part of the same case or controversy.

**THE PARTIES**

4. At all relevant times hereto, Plaintiff Li’Gon was and is a resident of New York county in the State of New York.

5. Upon information and belief, Defendant ASPCA is a corporation organized under the laws of the State of New York, with its principle place of business located at 424 East 92nd Street, New York, NY 10128.

**TRIAL BY JURY**

6. Plaintiff respectfully requests a trial before a jury.

**STATEMENT OF FACTS**

7. In and around July 2004, ASPCA hired Plaintiff Li’Gon as a Hiring Manager.

8. Mr. Li’Gon consistently excelled at performing the duties of his position, earning merit-based raises and high performance reviews.

9. Mr. Li’Gon is a gay, black man.

10. ASPCA cultivated a work environment in which it allowed its white, heterosexual female staff to violate and ASPCA rules and harass their co-workers with impunity.

11. ASPCA’s female, white staff also often participated in horseplay that included physical contact and sexual comments. ASPCA’s management were aware of this culture but never reprimanded their white, female employees for this conduct.

12. For example, on the fifth floor, in front of the Hospital Team, Mr. Li’Gon’s female colleague, Christal Rivera, groped Mr. Li’Gon, calling him “sexual chocolate.” ASPCA employees witnessed and laughed at this behavior. Ms. Rivera was never disciplined, much less terminated.