

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

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In the matter of K.A.S.

Plaintiff,

– against –

Civil Action No.

THE FORUM GROUP, FORUM SERVICES GROUP INC., DBA AS THE FORUM GROUP, FORUM TEMPORARY SERVICES, INC., DBA AS THE FORUM GROUP, FORUM HEALTHCARE STAFFING SERVICES, INC., DBA AS THE FORUM GROUP, FORUM PERSONNEL, INC. DBA AS THE FORUM GROUP, FORUM CONSULTING SERVICES, INC., DBA AS THE FORUM GROUP, FORUM CONSULTING, LLC, DBA AS THE FORUM GROUP, FRANK G. FUSARO, AS AN OFFICER, SHAREHOLDER AND INDIVIDUALLY, DEAN HERNAN, AS AN OFFICER, SHAREHOLDER AND INDIVIDUALLY, STEVENSON WARD, IV A/K/A STEVE WARD.

**COMPLAINT
& DEMAND FOR
JURY TRIAL**

Defendants.

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CIVIL COMPLAINT

Plaintiff, K.A.S. , (“plaintiff”) through his attorney, Sipsas, P.C., complaining of the Defendants, THE FORUM GROUP , FRANK G. FUSARO, AS AN OFFICER, SHAREHOLDER AND INDIVIDUALLY, DEAN HERNAN, AS AN OFFICER, SHAREHOLDER AND INDIVIDUALLY, STEVENSON WARD, IV a/k/a STEVE WARD.(defendants are collectively referred to as defendants or defendant) respectfully allege as follows:

NATURE OF ACTION

1. Plaintiff complains that Defendants engaged in the unlawful discrimination and

subsequent retaliation of Plaintiff in the terms, conditions, and privileges of her employment in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C.A. § 2000e (“Title VII”) based upon her sex, female.

2. This is an action for damages that resulted from the plaintiff being discriminated and retaliated against because of her sex.

3. This action is based on violations of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000, et seq. for defendants’ hostile environment.

4. The Plaintiff includes a claim for retaliation, pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000, et seq.

5. Plaintiff seeks appropriate monetary relief as well as appropriate legal and equitable relief to redress the wrongdoings complained of herein and to further to seek monetary relief for the denial of equal employment opportunity and for unlawful employment practices of Defendants.

JURISDICTION & VENUE

6. The jurisdiction of the court over this controversy arises pursuant to 28 U.S.C. § 1331, as this matter arises under 42 U.S.C. § 2000e-2.

7. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b) because defendants regularly conduct business within the Southern District of New York.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

8. Prior to filing this court action, plaintiff timely filed a written Charge of Discrimination and Retaliation (Charge No. 520-2015-01254) against the Defendant herein with the United States Equal Employment Opportunity Commission (“EEOC”).

9. In said Charge of Discrimination and Retaliation, plaintiff alleged that Defendants herein has violated her federal rights under Title VII.

10. In said Charge of Discrimination and Retaliation, plaintiff alleged that Defendants herein has discriminated and retaliated against him based upon her sex.

11. Plaintiff filed this action prior to the expiration of the ninety (90) days after receiving the Notice of Rights to sue dated August 19, 2015, from the EEOC on or about August 21, 2105. Thus, he has exhausted his administrative remedies.

THE PARTIES

12. Plaintiff, an American citizen, during all times hereinafter mentioned, was and still is a resident of the State of New York, City of New York, County of New York.

13. Defendant THE FORUM GROUP is, and at all relevant times hereinafter mentioned, was, upon information and belief, a business entity doing business on behalf of the Defendants' corporations FORUM SERVICES GROUP, INC, FORUM TEMPORARY SERVICES, INC., FORUM HEALTHCARE STAFFING SERVICES, INC, FORUM PERSONNEL, INC. FORUM CONSULTINGSERVICES, INC, FORUM CONSULTING, LLC, in the State of New York.

14. Defendant FORUM SERVICES GROUP, INC. is, and at all relevant times hereinafter mentioned was, a corporation organized under the laws of the State of New York, having its principal place of business in the State of New York, County of New York , at 260 Madison Avenue, Suite 200, New York, New York 10016. Defendant FORUM SERVICES GROUP INC, upon information and belief, is doing business as THE FORUM GROUP.

15. Defendant FORUM TEMPORARY SERVICES, INC. is, and at all relevant times hereinafter mentioned was, a corporation organized under the laws of the State of New York, having its principal place of business in the State of New York, County of New York, at 260 Madison Avenue, Suite 200, New York, New York 10016. Defendant FORUM TEMPORARY SERVICES, INC., upon information and belief, is doing business as THE FORUM GROUP.

16. Defendant FORUM HEALTHCARE STAFFING SERVICES, INC is, and at all relevant times hereinafter mentioned was, a corporation organized under the laws of the State of New York, having its principal place of business in the State of New York, County of New York, at 260 Madison Avenue, Suite 200, New York, New York 10016. Defendant, FORUM HEALTHCARE STAFFING SERVICES, INC, upon information and belief, is doing business as THE FORUM GROUP.

17. Defendant FORUM PERSONNEL, INC. is, and at all relevant times hereinafter mentioned was, a corporation organized under the laws of the State of New York, having its principal place of business in the State of New York, County of New York, at 260 Madison Avenue, Suite 200, New York, New York 10016. Defendant, FORUM PERSONNEL, INC., upon information and belief, is doing business as THE FORUM GROUP.

18. Defendant FORUM CONSULTING SERVICES, INC is, and at all relevant times hereinafter mentioned was, a corporation organized under the laws of the State of New York, having its principal place of business in the State of New York, County of New York, at 260 Madison Avenue, Suite 200, New York, New York 10016. Defendant, FORUM CONSULTING SERVICES, INC, upon information and belief, is doing business as THE FORUM GROUP.

19. Defendant FORUM CONSULTING, LLC is, and at all relevant times hereinafter mentioned was, a foreign corporation organized under the laws of the State of Delaware and registered in New York, having its principal place of business in the State of New York, County of New York, at 260 Madison Avenue, Suite 200, New York, New York 10016. Defendant, FORUM CONSULTING, LLC upon information and belief, is doing business as THE FORUM GROUP.

20. Defendant FRANK G. FUSARO, as an officer, shareholder, employee, associate and agent of and THE FORUM GROUP and its affiliates and/or the Defendant corporations in paragraphs 13 through 19 of this Complaint and as an individual, is, and at all

relevant times hereinafter mentioned, was(is) a Chief Executive Officer of all the Defendant corporations in paragraphs 13 through 19 of this Complaint. Upon information and belief, he is a resident of the State of New York. Mr. Fusaro is being sued in his official and individual capacities. Mr. Fusaro knew or should have known of the discriminatory customs, practices, policies and wrongful acts described herein but nonetheless condoned, ratified and /or authorized such conduct.

21. Defendant DEAN HERNAN, as an officer, shareholder, employee, associate or agent of THE FORUM GROUP and its affiliates and/or the Defendant corporations in paragraphs 13 through 19 of this Complaint and as an individual is, and at all relevant times hereinafter mentioned, was a consultant , Human Resources (HR) Director of all the Defendant corporations in paragraphs 13 through 19 of this Complaint. Upon information and belief, he is a resident of the State of New York. Mr. Hernan is being sued in his official and individual capacities. Mr. Hernan knew or should have known of the discriminatory customs, practices, policies and wrongful acts described herein but nonetheless condoned, ratified and /or authorized such conduct.

22. Defendant STEVENSON WARD, IV A/K/A STEVE WARD (“WARD”) is , and at all relevant times hereinafter mentioned, was (is) an employee, consultant , associate or agent of THE FORUM GROUP and its affiliates and/or the Defendant corporations in paragraphs 13 through 19 of this Complaint. Upon information and belief, Defendant WARD is (was) a Managing Director of the Forum Group and its affiliates and/or the Defendant corporations in paragraphs 13 through 19 of this Complaint. Defendant WARD was, at all relevant times hereinafter mentioned, the direct supervisor/manager of the Plaintiff. Upon information and belief, Defendant WARD is (was) a resident of the State Of New York. Mr. Ward is being sued in his official and individual capacities. Mr. Ward knew or should have known of the discriminatory customs, practices, policies and wrongful acts described herein but nonetheless condoned, ratified and /or authorized such conduct or is responsible for such conduct.

STATEMENTS OF FACTS

23. Plaintiff began working at THE FORUM GROUP on or about July 9, 2014.

Plaintiff was hired as a Vice President to do business development and recruitment of traders and sales professionals at financial institutions, including investment banks and hedge funds. At all times during her employment, Plaintiff was a competent, good, valuable, well qualified employee and successfully performed her responsibilities and duties of employment.

24. Defendant WARD started flirting with Plaintiff at the commencement of her employment. Even before she officially started, Defendant Ward made inappropriate advances. Specifically, on July 8, 2014, after she agreed to accept the position, Defendant WARD kissed the Plaintiff. Plaintiff resisted but Defendant WARD was insistent. Plaintiff felt that because Defendant WARD was her immediate supervisor, she should not do anything to jeopardize her employment and career.

25. On July 10, 2014, THE FORUM GROUP had a gathering on a cruise ship. After the gathering, Defendant WARD insisted on having alcoholic beverages with Plaintiff, which Plaintiff declined because Defendant WARD was her immediate supervisor. Plaintiff did not want to be in a situation where Defendant WARD could become intoxicated and potentially cross the line, again, by making sexual comments, advances and touching Plaintiff. Within a week of Plaintiff's employment, Defendant WARD made at least two (2) sexual advances on her.

26. On July 15th, 2014, Defendant WARD said to the plaintiff: "Figured you for a meatpacking girl with traders," alluding to his perception of Plaintiff as a New York City stereotype, specifically a party girl who drinks on the weekends in New York City's Meatpacking District. Defendant WARD's assertion made Plaintiff uneasy. The flirting continued. On or about July 11th, 2014 Defendant WARD texted Plaintiff saying: "You're gorgeous", and "You are worth more than you think." Again, on or about July 15, 2014, at about 8:37 pm, Defendant WARD texted Plaintiff: "Kat.... You're pretty ridiculous. Love it." And again: "I meant

ridiculously hot. Go work elsewhere.” Plaintiff felt intimidated and threatened about her career and employment. On a daily basis, Defendant WARD was suggesting that Plaintiff seek employment elsewhere so that they could pursue an affair. Furthermore, on numerous occasions, Defendant WARD indicated to Plaintiff his desire to engage in “rough sex” with her.

27. Plaintiff, many times, stated to Defendant WARD that she has a boyfriend with the hope that Defendant WARD would cease the incessant flirting, sexual harassment and humiliation. Defendant WARD did not stop. On the contrary, conversations, during work hours at THE FORUM GROUP premises, about sex, increased. Plaintiff was extremely uneasy, uncomfortable and tried to appease Defendant WARD, because he was her boss, and she was afraid that she would be fired, potentially derailing her career. During Plaintiff’s tenure at The Forum Group, she was subjected to a severe and pervasively hostile work environment in which she was subjected to degrading acts of sexual harassment by Defendant WARD.

28. On multiple occasions at work, Defendant WARD’s behavior was inappropriate, often laden with sexual connotations, both overt and subtle. He often, at work, would comment about Plaintiff’s skirts, making vulgar and sexual comments. He referred to “marathon rough sex sessions” and told Plaintiff that her lips were “enticing.” Plaintiff refused to join him for drinks after work because Defendant’s WARD intentions were clearly motivated by a desire for sex rather than business development.

29. The sexual harassment and inappropriate sexual comments continued at work on a daily basis and Plaintiff had no one to report or turn to because defendant WARD was her superior.

30. On or about July 29, 2014, Plaintiff and Defendant Ward were supposed to attend an art exhibition, in downtown Manhattan, as a part of networking activity. This event was cancelled and Plaintiff and Defendant WARD instead went to a bar in midtown Manhattan by the name of Redemption. After their time at Redemption, Plaintiff and Defendant WARD split a taxi and he dropped Plaintiff off at her apartment at around 2:00am. Defendant asked Plaintiff if he could come upstairs, to her apartment, to use her bathroom. Plaintiff refused to let Defendant WARD up

to her apartment. Defendant WARD became angry and yelled at Plaintiff, accusing her of viewing him “as a scumbag.” Later, fearing retaliation, Plaintiff apologized to Defendant WARD for not letting him upstairs to use the bathroom. Defendant WARD responded: “We’re probably going to have crazy sex one night.” He also made a “rape joke” which Plaintiff did not find funny, beginning to feel very intimidated. The next morning, Defendant WARD texted Plaintiff, while she was at work that he was “in quite a state” because he had gone home and masturbated three (3) times.

31. On or about July 31, 2014 at 5:08pm, Defendant texted Plaintiff that: “[it] was good I didn’t come up. We would have been in there for the whole next day.” After that day, Plaintiff continued to be sexually harassed and intimidated by Defendant WARD on a daily basis.

32. On or about August 5, 2014, Defendant WARD, while he was playing golf, texted Plaintiff that she would be make a great cart girl. He explained that, “cart girls are the ones who wear short skirts and sell drinks.” He proceeded to go into graphic detail about how he would bend the Plaintiff over a golf cart and have sex with her. Later that evening, at about 11:40 pm, he established that Plaintiff “just want[ed] to be forced during sex.”

33. August 2014 was a living hell for Plaintiff. Defendant WARD continued, in full force, making vulgar sexual advances. On, or about August 10, 2014, he texted Plaintiff asking her if she wanted to hear him masturbate. Plaintiff responded, via text message, “my stomach is in knots”. Defendant WARD texted Plaintiff back, asking “are you wet?” Plaintiff told Defendant WARD that his behavior is unacceptable and inappropriate. Defendant WARD responded again: “are you wet?” Plaintiff felt extremely uncomfortable by this situation and declined his sexual advances. Plaintiff continued her repeated protests, reminders to Defendant WARD that she has a boyfriend, and direct statements to him, indicating that it would be inappropriate for them to become sexually involved with each other since he was her boss.

34. Defendant WARD continuously and repeatedly made sexual advances towards the Plaintiff and had failed to mentor her or introduce her to clients in order to advance professionally. Instead, his only interest was harassing and making sexual advances towards her.

35. Plaintiff had joined The Forum Group because she thought it was a dream opportunity for her to build up their recruiting business, in her specific area of expertise, and she was not willing to give up this opportunity over Defendant WARD's sexual harassment.

36. It seems that Defendant WARD changed his tactics and started yelling and screaming, at work, at the plaintiff. On or about August 12, 2014, Defendant WARD told the Plaintiff that "I get angry at you, then kind of aroused. Bad news..." Plaintiff was so devastated, and emotionally distressed, that she did not want to go the office and see Defendant WARD and therefore, tried to schedule her business meetings outside of the office, paying for the expenses associated with these meetings with her own personal funds. This inappropriate conduct made the workplace environment inhospitably tense and stressful for the Plaintiff.

37. On or about, September 3, 2014, in the evening, after work, Plaintiff was invited by Defendant WARD and a former colleague of her, Ed Merhige, to go to Butterfield 8, a restaurant/bar in New York County, located at 5 East 38th Street. They were already drinking when Plaintiff arrived. Plaintiff stayed and had one drink. Afterwards, Plaintiff and Defendant WARD went to THE FORUM GROUP's office, located at 260 Madison Avenue, New York, New York, which was very close to Butterfield 8. In the conference room, Defendant Ward kissed Plaintiff. Then Defendant WARD became aggressive and started to sexually touch the Plaintiff. Plaintiff was terrified and said to him, "we can't," to which he replied, "shut up." He shoved plaintiff's underwear in her mouth and covered her mouth with his hands. Plaintiff was scared and shocked. He then slapped her across the face multiple times, slammed her against a conference room table and then onto the floor. Defendant WARD had sexual intercourse with Plaintiff, against her wishes and will, forcing her to have oral, vaginal and anal sex. Plaintiff did not consent to such acts but she was terrified, confused, shocked and emotionally distressed.

Plaintiff could not do anything about it. She was overpowered by Defendant WARD. Defendant WARD used force to subdue Plaintiff and perform upon her the rough intercourse he had relentlessly alluded to.

38. Plaintiff has been sexually abused and assaulted by Defendant WARD on THE FORUM GROUP premises. Her injuries were serious. Plaintiff's back was badly scraped and bruised and the pain was excruciating for many days. Plaintiff, after a few days, went to see her physician. She also told Defendant WARD that she visited her doctor and that the doctor recommended to go to rape counseling. Defendant WARD got angry that Plaintiff went to the doctor but Plaintiff assured him that she would not report the incident to the police or authorities. Plaintiff told Defendant WARD that she was fine in order to appease him. Defendant WARD, after a few days, asked the plaintiff: "What was your favorite part?" while, at the same time, slandering her to other THE FORUM GROUP employees.

39. Plaintiff then decided to talk to Defendants FRANK G. FUSARO and DEAN HERNAN, seeking their assistance and informing them of Defendant WARD's sexual advances and harassments. Plaintiff sent an email to them, attempting to secure a meeting when Defendant WARD would return from Switzerland.

40. Finally, on or about January 5, 2015, Plaintiff went to Defendant FUSARO's office with the intent to seek help. The second that Plaintiff entered Defendant FUSARO's office, he told Plaintiff: "I am letting you go." Plaintiff was not given the opportunity to speak. Defendant FUSARO refused to talk to Plaintiff and summarily discharged her. However, Plaintiff while leaving his office informed Frank Fusaro that she was sexually assaulted by Steve Ward in the conference room, and that she had already reported it to the police. Frank Fusaro said: "what happens between you and Steve is none of my business". Defendants unlawfully terminated Plaintiff's employment in retaliation for her lawful complaint of discrimination.

41. There is no legitimate business reason or lawful basis for Plaintiff's termination except in retaliation for asserting Plaintiff's federally protected rights.

42. The personal life of Defendant WARD permeated the working environment at THE FORUM GROUP and further contributed to the volatile and discriminatory hostile environment for the Plaintiff and, upon information and belief, for other female employees.

43. On or about January 28, 2015, Plaintiff filed a complaint with the U.S. Equal Employment Opportunity Commission (“EEOC”) based on Employer’s Discriminatory Practices/Sexual Harassment.

44. Plaintiff has been under the care of a psychiatrist after her employment with the Defendants and after the sexual assault to treat her anxiety, depression, humiliation, worrying about losing her job and traumatization by the sexual assault.

45. Plaintiff has also filed in the Supreme Court of the State of New York, County of New York an action claiming violations of New York State law and asserting state claims. This case is: **Anonymous v. The Forum Group, et al , Index No. 153318/2015**. Such an action was commenced on April 8, 2015 and the case is in the early stages of discovery.

AS AND FOR A FIRST CAUSE OF ACTION

SEX DISCRIMINATION IN VIOLATION OF TITLE VI

46. Plaintiff repeats, realleges and incorporates by reference each and every allegation previously made herein as if the same were more fully set forth at length herein.

47. Defendants’ discriminatory behavior and then retaliatory termination of Plaintiff’s employment were made as a direct result of Plaintiff’s sex, female, and show an animus of sex bias.

48. Defendants’ animus toward Plaintiff’s sex is revealed in instances where similarly situated male employees were treated differently than Plaintiff in respect to their terms, conditions, and privileges of employment.

49. Defendants have undertaken these discriminatory practices willfully or with reckless disregard for the Plaintiff’s rights protected under Title VII.

50. These employment practices violate § 703 of Title VII.

51. As a result of Defendants' actions, Plaintiff is unable to return to comparable employment.

52. The aforesaid acts of Defendants constitute unlawful discrimination against Plaintiff in the terms, conditions and privileges of her employment because of her gender and in retaliation against her in violation of the provisions of Title VII.

53. As a proximate result of Defendants' aforementioned sex discrimination against Plaintiff, Plaintiff has and will continue to suffer substantial losses, including the loss of past and future earnings, bonuses, deferred compensation and other employment benefits.

54. As a further proximate result of Defendants' actions, Plaintiff has and will continue to suffer irreparable and significant damage to her personal and professional good name and reputation.

55. As a further proximate result of Defendants' actions taken because of Plaintiff's sex, Plaintiff has and will continue to suffer severe and lasting embarrassment, humiliation and anguish and other incidental and consequential damages and expenses.

56. As a result of the foregoing, Plaintiff is entitled to recover from Defendants, jointly and severally, an amount equal to the value of all compensation to be earned by Plaintiff had her employment not been interfered with, including all to be earned salary and bonuses, benefit payments, profit sharing, costs, attorney's fee and prejudgment interest at no less than 9%.

57. As a result of the foregoing acts, Plaintiff is entitled to recover an amount no less than \$5,000,000.00 in compensatory damages from Defendants, in addition to all other amounts sought herein.

58. In committing the acts alleged herein, Defendants, jointly and severally, acted in an outrageous and malicious manner with intent, oppression, gross negligence, malice, wanton disregard and indifference for Plaintiff's protected civil rights, as part of the continuing pattern of conduct, and Plaintiff is entitled to punitive damages of at least \$6,000,000.00 to adequately

punish defendants and to deter Defendants from continuing and repeating such conduct in the future.

AS AND FOR A SECOND CAUSE OF ACTION

***HOSTILE WORK ENVIRONMENT SEXUAL HARRASSMENT
IN VIOLATION OF TITLE VII.***

59. Plaintiff repeats, realleges and incorporates by reference each and every allegation previously made herein as if the same were more fully set forth at length herein.

60. Based upon the aforementioned facts, Plaintiff was subjected to discriminatory, humiliating, sexually perverted, filthy, lewd, unwelcome, crude and inappropriate behavior, jokes, innuendo, remarks, gestures, comments, discussions, and unwanted physical contact and sexual advances and harassment at The Forum Group.

61. Defendants' knowledge, tolerance and acquiescence of sexually charged hostile work environment suffered by Plaintiff, is impermissible sex based discrimination.

62. Defendants allow to exist an offensive, discriminatory, and hostile work environment where constant barrage of discriminatory, humiliating, sexually perverted, filthy, lewd, unwelcome, crude and inappropriate behavior, jokes, innuendo, remarks, gestures, comments, Discussions and unwanted physical and intimate contact and sexual advances were made, which is particularly offensive and directed towards Plaintiff.

63. Defendants did not have policies in place to deal with a sexually hostile work environment.

64. Defendants failed to take responsible steps to stop the sexual harassment complained of herein.

65. Defendants have undertaken these discriminatory practices willfully or with reckless disregard for the Plaintiff's rights protected under Title VII.

66. These employment practices violate § 703 of Title VII.

67. Plaintiff has been unable, despite reasonable efforts, to find comparable employment.

68. The aforementioned acts of Defendants constitute hostile work environment and sexual harassment against Plaintiff in violation of the provisions of Title VII.

69. As a proximate result of Defendants' aforementioned sex discrimination against Plaintiff, Plaintiff has and will continue to suffer substantial losses, including the loss of past and future earnings, bonuses, deferred compensation and other employment benefits.

70. As a further proximate result of Defendants' actions, Plaintiff has and will continue to suffer irreparable and significant damage to her personal and professional good name and reputation.

71. As a further proximate result of Defendants' actions taken because of Plaintiff's sex, Plaintiff has and will continue to suffer severe and lasting embarrassment, humiliation and anguish and other incidental and consequential damages and expenses.

72. As a result of the foregoing, Plaintiff is entitled to recover from Defendants, jointly and severally, an amount equal to the value of all compensation to be earned by Plaintiff had her employment not been interfered with, including all to be earned salary and bonuses, benefit payments, profit sharing, costs, attorney's fee and prejudgment interest at no less than 9%.

73. As a result of the foregoing acts, Plaintiff is entitled to recover an amount no less than \$5,000,000.00 in compensatory damages from Defendants, in addition to all other amounts sought herein.

74. In committing the acts alleged herein, Defendants, jointly and severally, acted in an outrageous and malicious manner with intent, oppression, gross negligence, malice, wanton disregard and indifference for Plaintiff's protected civil rights, as part of the continuing pattern of conduct, and Plaintiff is entitled to punitive damages of at least \$6,000,000.00 to adequately punish defendants and to deter Defendants from continuing and repeating such conduct in the future.

AS AND FOR A THIRD CAUSE OF ACTION

RETALIATION IN VIOLATION OF TITLE VII

75. Plaintiff repeats, realleges and incorporates by reference each and every allegation previously made herein as if the same were more fully set forth at length herein.

76. Based upon the foregoing, Plaintiff had reasonable belief that Defendants were engaged in unlawful conduct under Title VII.

77. Plaintiff acted in opposition to such unlawful conduct by making good faith claims and or complaints of sexual harassment and discrimination to Defendants and appropriate authorities,

78. Defendants had actual knowledge of Plaintiff's activities in respect of making good faith claims and /or complaints of sexual harassment and discrimination to Defendants and appropriate authorities.

79. As approximate result of Plaintiff's activities in respect of making good faith claims and /or complaints of sexual harassment and discrimination to Defendants and appropriate authorities, Defendants engaged in adverse treatment of Plaintiff, including, *inter alia*, terminating her employment.

80. Plaintiff has been unable, despite reasonable efforts, to find comparable employment.

81. The aforementioned acts of Defendants constitute hostile work environment and sexual harassment against Plaintiff in violation of the provisions of Title VII.

82. As a proximate result of Defendants' aforementioned sex discrimination against Plaintiff, Plaintiff has and will continue to suffer substantial losses, including the loss of past and future earnings, bonuses, deferred compensation and other employment benefits.

83. As a further proximate result of Defendants' actions, Plaintiff has and will continue to suffer irreparable and significant damage to her personal and professional good name and reputation.

84. As a further proximate result of Defendants' actions taken because of Plaintiff's sex, Plaintiff has and will continue to suffer severe and lasting embarrassment, humiliation and anguish and other incidental and consequential damages and expenses.

85. As a result of the foregoing, Plaintiff is entitled to recover from Defendants, jointly and severally, an amount equal to the value of all compensation to be earned by Plaintiff had her employment not been interfered with, including all to be earned salary and bonuses, benefit payments, profit sharing, costs, attorney's fee and prejudgment interest at no less than 9%.

86. As a result of the foregoing acts, Plaintiff is entitled to recover an amount no less than \$5,000,000.00 in compensatory damages from Defendants, in addition to all other amounts sought herein.

87. In committing the acts alleged herein, Defendants, jointly and severally, acted in an outrageous and malicious manner with intent, oppression, gross negligence, malice, wanton disregard and indifference for Plaintiff's protected civil rights, as part of the continuing pattern of conduct, and Plaintiff is entitled to punitive damages of at least \$6,000,000.00 to adequately punish defendants and to deter Defendants from continuing and repeating such conduct in the future.

ATTORNEYS' FEES AND COSTS

88. Attorneys' fees and costs are warranted in this matter as the undersigned, on behalf of the Plaintiff have in good faith, attempted to negotiate a reasonable resolution with Defendants without having to refer this matter to this forum for adjudication, determination and final resolution on the merits.

PUNITIVE DAMAGES-BAD FAITH

89. It is presumed that parties undertake their respective obligations in good faith, with intent to deal fairly. In light of Defendants' obvious and blatant bad faith, wrongdoing and breach of other duties, punitive damages should be assessed against the Defendants so that they are deterred from attempting such harmful employment practices in the future.

REQUEST FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court grant the following relief:

- a. An award of Plaintiff's actual damages in respect to loss of wages, including an award of front pay compensating Plaintiff for loss of future salary and benefits had their employment not been interfered with, including all to be earned wages, costs, attorneys' fees and prejudgment interest at no less than 9%.
- b. An award of compensatory damages not less than \$5,000,000.00
- c. An award of punitive damages not less than \$6,000,000.00
- d. An order enjoining Defendants from engaging in the wrongful practices alleged herein;
- e. Award Plaintiff prejudgment interest;
- f. Award Plaintiff the costs of this action together with reasonable attorneys' fees ; and
- g. Such other and further relief as this Court deems necessary and proper, including, where appropriate, reinstatement and back wages for discharged Plaintiff.

DEMAND FOR TRIAL BY JURY

Pursuant to Rule 38(b) of the Federal Rules of Civil procedure, Plaintiff demands a trial by jury on all questions of fact raised by the complaint.

Dated: Queens, New York
November 12, 2015

Respectfully submitted,

SIPSAS PC
/s/ Ioannis P. Sipsas

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