

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

-----X
NAZMOON LATCHMINARINE,

Plaintiff,

-against-

CELIA TOMBALAKIAN,

Defendant.

-----X

Index No.:

Date Purchased:

SUMMONS

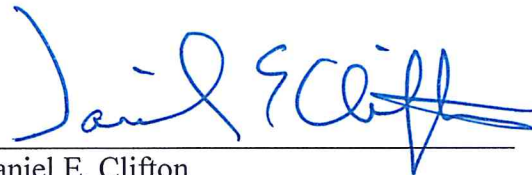
TO THE ABOVE-NAMED DEFENDANT:

YOU ARE HEREBY SUMMONED and required to serve upon plaintiff's attorneys an answer to the complaint in this action within twenty (20) days after the service of this summons, exclusive of the day of service, or within thirty (30) days after service is complete if this summons is not personally delivered 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.

The basis of the venue designated is the county in which the defendant's residence is located, which is New York County.

Dated: January 18, 2016
New York, New York

LEWIS, CLIFTON & NIKOLAIDIS, P.C.

By: 

Daniel E. Clifton
350 W. 31st Street, Suite 401
New York, New York 10001
(212) 419-1500
(212) 419-1510 (fax)
dclifton@lcnlaw.com

Attorneys for plaintiff Nazmoon Latchminarine

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

-----X
NAZMOON LATCHMINARINE,

Plaintiff,

-against-

CELIA TOMBALAKIAN,

Defendant.
-----X

Index No.:

VERIFIED COMPLAINT

Plaintiff Nazmoon Latchminarine, by her attorneys, Lewis, Clifton & Nikolaidis, P.C., as and for her Complaint against the defendant, Celia Tombalakian, alleges as follows:

NATURE OF ACTION

1. Plaintiff brings this action against defendant Celia Tombalakian to recover damages for physical, mental, and emotional harm to plaintiff caused by defendant's unprovoked physical attacks on plaintiff on September 10, 2015.

VENUE AND PARTIES

2. Plaintiff Nazmoon Latchminarine is an individual. Plaintiff is now, and at all times mentioned in this Complaint has been, a resident of Queens County, New York State.

3. Defendant Celia Tombalakian is an individual. Upon information and belief, defendant is now, and at all times mentioned in this Complaint has been, a resident of New York County, New York State.

4. Venue in this action is proper in New York County based on defendant's residence.

AS AND FOR A FIRST CAUSE OF ACTION
(Battery)

5. During various periods of time from March 2015 to September 2015, plaintiff

was employed by defendant as a child care worker, caring for defendant's infant son. In the course of her employment, plaintiff at all times conducted herself in a competent, professional, and responsible manner.

6. At one point in July 2015, plaintiff quit her position as a child care worker, but returned one week later at defendant's request.

7. On the evening of September 9, 2015, after plaintiff had spent the day caring for defendant's child, defendant engaged in after-hours texting with plaintiff about various child care matters. Plaintiff advised defendant that they could talk the next day.

8. On or about September 10, 2015, after plaintiff arrived at defendant's home, she advised defendant that she was quitting her position as defendant's child care worker. Defendant responded by slapping plaintiff's face very hard.

9. After being slapped, plaintiff began to cry, and defendant said to her "Get the fuck out of my house!"

10. Plaintiff asked the defendant for her pay for the previous week, and defendant slapped her again.

11. Defendant then walked away from plaintiff, turned around, ran back toward her, and kicked plaintiff in the chest.

12. In each instance described above in paragraphs 8-11 above, defendant intended to cause and did cause a harmful contact with defendant's person.

13. Plaintiff did not consent to defendant's actions.

14. As a direct and proximate result of defendant's conduct, plaintiff suffered physical pain, humiliation, and mental anguish.

15. Defendant's actions were done knowingly, willfully, and with malicious

intent, and plaintiff is entitled to punitive damages.

AS AND FOR A SECOND CAUSE OF ACTION
(Assault)

16. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1 through 15 of the Complaint as if fully set forth herein.

17. By her actions, defendant intended to cause and did cause plaintiff to suffer apprehension of an immediate harmful contact.

AS AND FOR A THIRD CAUSE OF ACTION
(Intentional Infliction of Emotional Distress)

18. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1 through 15 of the Complaint as if fully set forth herein.

19. By her actions, defendant intended to cause, or disregarded a substantial probability of causing, plaintiff to suffer severe emotional distress.

20. By reason of defendant's actions, plaintiff suffered severe emotional distress.


PRAYOR FOR RELIEF

WHEREFORE, plaintiff demands judgment against the defendant, granting plaintiff:

- a) Compensatory damages in the amount of \$100,000.00;
- b) Punitive damages in the amount of \$100,000.00;
- c) Costs and disbursements of this action; and
- d) Such other and further relief as the Court may deem just and proper.

Dated: January 14, 2016
New York, New York

LEWIS, CLIFTON & NIKOLAIDIS, P.C.

By: 

Daniel E. Clifton
350 W. 31st Street, Suite 401
New York, New York 10001
(212) 419-1500
(212) 419-1510 (fax)
dclifton@lcnlaw.com

Attorneys for plaintiff Nazmoon Latchminarine

VERIFICATION

STATE OF NEW YORK)

ss.:

COUNTY OF NEW YORK)

I, Nazmoon Latchminarine, am the plaintiff in the within action for assault, battery and intentional infliction of emotional distress. I have read the foregoing complaint and know the contents thereof. The contents are true to my own knowledge except as to matters therein stated to be alleged upon information and belief, and as to those matters I believe them to be true.

Nazmoon Latchminarine
Nazmoon Latchminarine

Subscribed and sworn to
before me on this 14 day of
January 2016

Julian Jose Gonzalez
Notary Public

JULIAN JOSE GONZALEZ
Notary Public, State of New York
No. 02GO6288502
Qualified in Kings County
Commission Expires September 09, 20 17