

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

Index No:  
Date purchased:

-----X  
CAMILA LLANOS,

Plaintiffs designates:  
QUEENS County as the  
place of trial

Plaintiff,

**SUMMONS**

-against-

T-MOBILE USA, INC., GIUSEPPE DI BARTOLO  
and PETER BUENO,

The basis of the venue is  
Plaintiff's Residence

Defendants.

Plaintiff resides at  
32-41 Steinway Street  
Astoria, New York 11103  
County of QUEENS

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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 Plaintiff LLANOS' 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 case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York  
July 27, 2012

AKIN LAW GROUP PLLC  
Attorneys for Plaintiff

/s/ Emre Polat

\_\_\_\_\_  
By: Emre Polat Esq.  
45 Broadway, Suite 2650  
New York, New York 10006  
(212) 825-1400

Defendants' Addresses:

T-MOBILE USA, INC.,  
(via Secretary of state)  
CORPORATION SERVICE COMPANY  
80 State Street  
Albany, New York, 12207

GIUSEPPE DI BARTOLO  
(via place of employment)  
T-MOBILE USA, INC.,  
8119 Broadway  
Elmhurst, New York 11373

PETER BUENO  
(via place of employment)  
T-MOBILE USA, INC.,  
8119 Broadway  
Elmhurst, New York 11373

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

Index No:

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CAMILA LLANOS,

Plaintiff,

-against-

**VERIFIED COMPLAINT**

T-MOBILE USA, INC., GIUSEPPE DI BARTOLO  
and PETER BUENO,

Defendants.

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Plaintiff, by her attorneys, AKIN LAW GROUP PLLC, upon information and belief, complains of the Defendants as follows:

1. Plaintiffs complains pursuant to the laws of the State of New York and the Administrative Code of the City of New York, seeking damages to redress the injuries Plaintiff has suffered as a result of being harassed, discriminated against, and retaliated against by her former employer on the basis of her sex, race and her national origin; in addition, Plaintiff LLANOS was subjected to retaliation for reporting the discriminatory conduct and was slandered.

**PARTIES**

2. That at all times hereinafter mentioned, Plaintiff CAMILA LLANOS (hereinafter “LLANOS”) was and still is a resident of the County of Queens, City and State of New York.
3. That at all times hereinafter mentioned, the Defendant T-MOBILE USA, INC., (hereinafter “T-MOBILE”) was and is a domestic business entity duly organized and existing under and by virtue of the laws of the State of New York.

4. That at all times hereinafter mentioned, the Defendant T-MOBILE is a foreign business entity duly authorized to conduct business in the State of New York.
5. That at all times hereinafter mentioned, the Defendant T-MOBILE is an entity doing business in the State of New York.
6. That at all times hereinafter mentioned, the Defendant GIUSEPPE DI BARTOLO (hereinafter “DI BARTOLO”) was and is a resident of the State of New York.
7. That at all times hereinafter mentioned, the Defendant PETER BUENO (hereinafter “BUENO”) was and is a resident of the State of New York.

### **FACTS**

8. That at all times hereinafter mentioned, the Defendant T-MOBILE was doing business at the premise designated and more commonly known as 8119 Broadway, Elmhurst, New York 11373.
9. That at all times hereinafter mentioned, Defendant T-MOBILE operates a retail electronics / telephone store in the State of New York.
10. That at all times hereinafter mentioned, Defendant T-MOBILE was operating a retail store at the address designated and more commonly known as 8119 Broadway, Elmhurst, New York 11373.
11. That at all times hereinafter mentioned, Plaintiff was employed by Defendant T-MOBILE at the abovementioned location.
12. That at all times herein relevant, Defendant DI BARTOLO was an agent, servant and/or employee of Defendant T-MOBILE.
13. That at all times herein relevant, Defendant DI BARTOLO was and still is an employee of the Defendants.

14. That at all times herein relevant, Defendant DI BARTOLO was in a supervisory or managerial position with the Defendant T-MOBILE.
15. That at all times herein relevant, Defendant DI BARTOLO had authority to hire employees and terminate employees on behalf of Defendant T-MOBILE.
16. That at all times herein relevant, Defendant DI BARTOLO had authority to promote employees on behalf of Defendant T-MOBILE.
17. That on or about February 8, 2012, Plaintiff LLANOS commenced employment with Defendant T-MOBILE.
18. That at all times herein relevant, Plaintiff LLANOS was an employee of Defendant T-MOBILE.
19. That at all times herein relevant, Plaintiff LLANOS was employed by Defendant T-MOBILE as a Retail Sales Associate.
20. That at all times herein relevant, Plaintiff LLANOS worked for the Defendant T-MOBILE at their retail store located on the premises designated and more commonly known as 8119 Broadway, Elmhurst, New York 11373.
21. That at all times herein relevant, Plaintiff LLANOS as an employee of Defendant T-MOBILE was paid an hourly gross salary of \$11.15.
22. That at all times herein relevant, Defendant DI BARTOLO was a superior and/or supervisor of Plaintiff LLANOS.
23. That at all times herein relevant, Plaintiff LLANOS was in a position subordinate to the Defendant DI BARTOLO with regard to their employment with the Defendant T-MOBILE.
24. That at all times herein relevant, Plaintiff LLANOS would take work orders from and assist Defendant DI BARTOLO during her employment.

25. That at all times herein relevant, Plaintiff LLANOS had contact with Defendant DI BARTOLO on almost a daily basis while working at Defendant T-MOBILE.
26. That throughout Plaintiff's employment, the Defendants subjected Plaintiff LLANOS to numerous acts of sexual harassment, unlawful discrimination and employment practices, including but not limited to the following:
  - a. Prior to commencing employment, while Plaintiff LLANOS was being interviewed by the Defendant DI BARTOLO, she was told, the job is between you and another person, but you're prettier so I think I'll hire you.
  - b. Immediately as Plaintiff LLANOS began working for the Defendant T-MOBILE, the Defendant DI BARTOLO started staring and gazing at the Plaintiff without reason, making Plaintiff LLANOS very uncomfortable. Every time Plaintiff LLANOS would look over towards Defendant DI BARTOLO, she would see him staring at her.
  - c. Every time Plaintiff LLANOS would walk by Defendant DI BARTOLO she would notice the Defendant staring and gazing at her buttocks.
  - d. Every time the Defendant DI BARTOLO would come by, next to or while situated behind Plaintiff LLANOS, she would notice the Defendant staring and gazing at her breasts.
  - e. Every time the Defendant DI BARTOLO would come by, next to or while in front of Plaintiff LLANOS, she would notice the Defendant staring and gazing down her shirt, looking into her cleavage and down her shirt/blouse.
  - f. The Defendant DI BARTOLO was supposed to train Plaintiff LLANOS. Instead of advising and educating Plaintiff LLANOS about the goods and products sold by the Defendant T-MOBILE, the Defendant DI BARTOLO would always turn the conversation around and start speaking about personal (unrelated to the business) matters and ask Plaintiff LLANOS inappropriate personal questions.
  - g. Defendant DI BARTOLO asked Plaintiff LLANOS if she would "Cheat on her boyfriend."
  - h. Defendant DI BARTOLO asked Plaintiff LLANOS if she would "go out with" someone that works for T-MOBILE.
  - i. Defendant DI BARTOLO told Plaintiff LLANOS that he went to Las Vegas and had a crazy night with two girls and told Plaintiff LLANOS what happens in Vegas stays in Vegas and then asked Plaintiff if she would like to go.
  - j. Defendant DI BARTOLO asked Plaintiff LLANOS to go to the Bahamas, and followed up by saying "what happens in the Bahamas stays in the Bahamas" again, clearly implying sexual acts.
  - k. Defendant DI BARTOLO asked Plaintiff LLANOS to hold out her hand, when she did, he placed his hand on top of hers (palms touching) and said "these small fingers can do a lot to a girl" clearly implying in a sexual nature.
  - l. Defendant DI BARTOLO would constantly tell Plaintiff LLANOS "we should go out alone, just you and me."

- m. Defendant DI BARTOLO would constantly ask Plaintiff LLANOS to go out for drinks with him.
- n. On one occasion, Defendant DI BARTOLO told Plaintiff LLANOS to walk with him to get supplies from another T-MOBILE store. Plaintiff walked for over ten blocks with Defendant DI BARTOLO while the defendant inquired about Plaintiff LLANOS' personal life and dating affairs. The Defendant picked up only one screen protector from the other T-MOBILE store. When Plaintiff LLANOS inquired as to why she was asked to make the trip with him, the defendant responded by saying he wanted to get to know her better, implying in a personal sexual manner.
- o. On another occasions, Plaintiff LLANOS had ordered a dress which was delivered to the store. When Defendant DI BARTOLO saw the dress, he told Plaintiff LLANOS to wear it and model it for him before others came to the store. Plaintiff LLANOS, refused and when another employee walked in, Defendant DI BARTOLO became irate and angry since Plaintiff LLANOS did not model the dress for him.
- p. On another occasion, while Plaintiff LLANOS was trying to assist a customer, Defendant DI BARTOLO walked by and in a false attempt to point to something, caressed, touched and moved his hand over Plaintiff LLANOS' breast and with a smile stated "oh, boobie" showing that it was no accident.
- q. Whenever Plaintiff LLANOS would be stationed in front of the computer (which is in a tight area) Defendant DI BARTOLO would immediately come behind her and lean his body on hers pretending to look at the screen while behind her.
- r. Whenever Plaintiff LLANOS would be in front of the Computer (which is in a tight area) Defendant DI BARTOLO would immediately find an excuse to walk behind her, rubbing his arm and body against her buttocks.
- s. Defendant DI BARTOLO embarked on a personal interest of his to develop a sexual relationship with Plaintiff LLANOS.
- t. Defendant DI BARTOLO would tell Plaintiff LLANOS' coworkers that she is cute or pretty, thereby letting everyone know that he is interested in her.
- u. Defendant DI BARTOLO would ask other coworkers whether they thought Plaintiff LLANOS would cheat on her boyfriend and would insist to them that Plaintiff LLANOS would cheat by stating "I betcha she would", insinuating that she would cheat on her boyfriend with him.
- v. Defendant DI BARTOLO refused to have Mr. Eng or any other person train Plaintiff LLANOS; he insisted that she only come to him for training and scheduled as many hours with her as possible.
- w. Defendant DI BARTOLO prepared the work schedule and deliberately assigned Plaintiff LLANOS to work on the days with himself almost every day that Plaintiff LLANOS was assigned to work.

27. On or about March of 2012, a couple of weeks after enduring the sexually hostile environment, Plaintiff LLANOS told the assistant manager, Lee Eng, that the Defendant DI BARTOLO was harassing her and making it impossible for her to work due to the hostile

work environment he created and asked Mr. Eng to talk to Defendant DI BARTOLO, only to be told that he [Mr. Eng] will not get involved and that she should resolve it with the Defendants herself.

28. On another occasion, Plaintiff LLANOS asked the assistant manager, Lee Eng, if he would train her since Defendant DI BARTOLO was not training her; that he was infatuated with her personally and that he would not talk business with her. Mr. Eng advised Plaintiff LLANOS that he will not get in between Plaintiff LLANOS and Defendant DI BARTOLO because he feared that Defendant DI BARTOLO would get jealous and “take it out on me” [Lee referring to himself].
29. Plaintiff LLANOS, not having received any personal training or advised as to whom she could turn to, did not know whom she should advise of the sexual harassment and hostile work environment.
30. Plaintiff LLANOS, was fearful of being retaliated against in the event she made a complaint, which was further reinforced by Mr. Eng’s comments.
31. On or about April 12, 2012, the Defendant BUENO visited the store and introduced himself as the district manager.
32. Having met someone that she could voice her concerns to, Plaintiff LLANOS advised Defendant BUENO about the sexual harassment that she was forced to endure and further complained of the hostile work environment.
33. Immediately upon making the complaint, Plaintiff LLANOS’ fears of retaliation were confirmed; instead of Defendant DI BARTOLO being removed from the store, it was Plaintiff who was removed and transferred to a store further away from her home.
34. Other employees of Defendant T-MOBILE got involved, but instead of investigating the sexual harassment, they started questioning and accusing all employees that witnessed or

had knowledge about the sexual harassment of allegedly mishandling pre-paid activations, instilling fear on all the employees to remain quiet or face consequences.

35. Gladys Rodriguez was an employee at Defendant T-MOBILE who had knowledge and information about the sexual harassment and was transferred and terminated for refusing to stay quiet about the inappropriate sexual harassment of Defendant DI BARTOLO.
36. Although the investigation was supposed to be conducted in confidentiality, Defendant BUENO spoke about it in the Manager's Meeting and referred to Plaintiff LLANOS as "CRAZY" defaming the Plaintiff's good reputation and marking her for continued discrimination and retaliation.
37. Defendant BUENO aided and abetted in the discrimination and retaliation of Plaintiff LLANOS.
38. The Defendants discussed Plaintiff LLANOS' complaints regarding the sexual harassment and hostile work environment on numerous occasions making the complaints well known in the circle of T-MOBILE targeting the Plaintiff for retaliation and further discrimination.

### **ALLEGATIONS**

39. Defendants unlawfully sexually assaulted, harassed, discriminated against and retaliated against Plaintiff LLANOS.
40. Defendants created an unlawful hostile work environment for Plaintiff LLANOS.
41. Defendants treated Plaintiff differently because of her sex.
42. Defendants subjected Plaintiff to unwelcome and sexually offensive conduct and advances.
43. During Plaintiff's employment with the Defendants, Plaintiff was and continued to be regularly exposed to a discriminatory, offensive and hostile work environment.
44. Plaintiff has been unlawfully harassed, discriminated and retaliated against, was humiliated, and has been degraded and belittled.



45. Plaintiff's situation at her job was intolerable as a result of the sexual assault, harassment and discrimination by Defendants to which she was subjected, and no reasonable person in Plaintiff's position could be expected to continue working under those conditions.
46. Throughout Plaintiff's employment with Defendants, Plaintiff would protest and complain to Defendants about this unlawful conduct to no avail.
47. In retaliation for reporting the sexual harassment and the hostile work environment, the Defendants further escalated the discrimination and harassment which lead to the transfer of the Plaintiff to a less desirable location.
48. In retaliation for reporting the sexual harassment and the hostile work environment, the Defendants disclosed confidential information and defamed the Plaintiff LLANOS.
49. Plaintiff's performance was, upon information and belief, above average during the course of employment with the Defendants.
50. The Defendant T-MOBILE has caused damage and injury to Plaintiff LLANOS by first subjecting her to sexual assault/harassment and a hostile work environment and then again by protecting the individual that caused and created the hostile work environment while retaliating against Plaintiff LLANOS.
51. Defendants' actions and conduct were intentional and intended to harm Plaintiff LLANOS.
52. As a result of Defendant's actions, Plaintiff felt extremely humiliated, degraded, victimized, embarrassed, and emotionally distressed.
53. As a result of the Defendant's actions, Plaintiff has suffered great economic loss.
54. As a result of the Defendants' discriminatory and intolerable treatment, Plaintiff suffered severe emotional distress.

55. As a result of the acts and conduct complained of herein, Plaintiff has suffered and will continue to suffer the loss of income, the loss of a salary, bonuses, benefits and other compensation which such employment entails.
56. As a result of the acts and conduct complained of herein, Plaintiff has suffered and will continue to suffer emotional and psychological distress, emotional pain, anxiety, depression, embarrassment, humiliation, inconvenience, loss of enjoyment of life, and other non-pecuniary losses.
57. As a result of the above, Plaintiff has been damaged in an amount which exceeds the jurisdictional limits of all lower Courts.
58. As Defendants' conduct has been willful, reckless, outrageous, intentional and/or malicious, Plaintiff also demands punitive damages in an amount which exceeds the jurisdictional limits of all lower Courts.

**AS A FIRST CAUSE OF ACTION**  
**FOR DISCRIMINATION UNDER STATE LAW**

59. Plaintiff repeats, reiterates and realleges each and every allegation made in the above paragraphs of this complaint as if more fully set forth herein at length.
60. Executive Law § 296 provides that it shall be an unlawful discriminatory practice: (a) For an employer or licensing agency, because of the age, race, creed, color, national origin, sexual orientation, military status, sex, disability, genetic predisposition or carrier status, or marital status of any individual, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment.
61. Defendant engaged in an unlawful discriminatory practice by taking adverse employment action and otherwise discriminating against Plaintiff LLANOS because of her sex and

engaging in *quid pro quo* sexual harassment and *quid pro non* sexual harassment and hostile work environment.

62. That as a direct result of the foregoing, Plaintiff LLANOS has been damaged in an amount which exceeds the jurisdictional limits of all lower Courts.

**AS A SECOND CAUSE OF ACTION  
FOR DISCRIMINATION UNDER STATE LAW**

63. Plaintiff repeats, reiterates and realleges each and every allegation made in the above paragraphs of this complaint as if more fully set forth herein at length.

64. New York State Executive Law §296(7) provides that it shall be an unlawful discriminatory practice:

"For any person engaged in any activity to which this section applies to retaliate or discriminate against any person because [s]he has opposed any practices forbidden under this article."

65. Defendant engaged in an unlawful discriminatory practice by taking adverse employment action, retaliating, and otherwise discriminating against Plaintiff LLANOS because of Plaintiff's opposition to the unlawful employment practices of Defendants.

66. That as a direct result of the foregoing, Plaintiff LLANOS has been damaged in an amount which exceeds the jurisdictional limits of all lower Courts.

**AS A THIRD CAUSE OF ACTION FOR DISCRIMINATION  
UNDER THE NEW YORK CITY ADMINISTRATIVE CODE**

67. Plaintiff repeats, reiterates and realleges each and every allegation made in the above paragraphs of this complaint as if more fully set forth herein at length.

68. The Administrative Code of City of NY § 8-107 [1] provides that "It shall be an unlawful discriminatory practice: "(a) For an employer or an employee or agent thereof, because of the actual or perceived age, race, creed, color, national origin, gender, disability, marital

status, sexual orientation or alienage or citizenship status of any person, to refuse to hire or employ or to bar or to discharge from employment such person or to discriminate against such person in compensation or in terms, conditions or privileges of employment."

69. Defendant engaged in an unlawful discriminatory practice in violation of New York City Administrative Code Title 8, §8-107(1)(a) by actually and constructively taking adverse employment action, creating and maintaining discriminatory working conditions, and otherwise discriminating against Plaintiff LLANOS because of her sex and engaging in *quid pro quo* sexual harassment and *quid pro non* sexual harassment and hostile work environment.
70. That as a direct result of the foregoing, Plaintiff LLANOS has been damaged in an amount which exceeds the jurisdictional limits of all lower Courts.

**AS A FOURTH CAUSE OF ACTION FOR DISCRIMINATION  
UNDER THE NEW YORK CITY ADMINISTRATIVE CODE**

71. Plaintiff repeats, reiterates and realleges each and every allegation made in the above paragraphs of this complaint as if more fully set forth herein at length.
72. The New York City Administrative Code Title 8, §8-107(1)(e) provides that it shall be unlawful discriminatory practice:
- "For an employer . . . to discharge . . . or otherwise discriminate against any person because such person has opposed any practices forbidden under this chapter. . . ."
73. Defendant engaged in an unlawful discriminatory practice in violation of New York City Administrative Code Title 8, §8-107(1)(e) by taking adverse employment action and otherwise discriminating against Plaintiff LLANOS because of Plaintiff's opposition to the unlawful employment practices of Plaintiff's employer.

74. That as a direct result of the foregoing, Plaintiff LLANOS has been damaged in an amount which exceeds the jurisdictional limits of all lower Courts.

**AS AN FIFTH CAUSE OF ACTION FOR  
BATTERY**

75. Plaintiff repeats, reiterates and realleges each and every allegation made in the above paragraphs of this complaint as if more fully set forth herein at length.

76. Defendant DI BARTOLO caressed, touched and moved his hand over Plaintiff LLANOS' breast without her permission or consent.

77. On numerous occasions, while the Plaintiff LLANOS was in front of the Computer Defendant DI BARTOLO leaned his body on hers, touching her without her permission or consent.

78. On numerous occasions, while the Plaintiff LLANOS was in front of the Computer Defendant DI BARTOLO walking behind her, rubbed his arm and body against her buttocks without her permission or consent.

79. The contact caused by Defendant DI BARTOLO was offensive and caused Plaintiff LLANOS to feel anxiety, fear, apprehension, worry, discomfort, humiliation, embarrassment, and emotional and psychological trauma.

80. That as a direct result of the foregoing, Plaintiff LLANOS has been damaged in an amount which exceeds the jurisdictional limits of all lower Courts.

**AS AN SIXTH CAUSE OF ACTION FOR  
SLANDER**

81. Plaintiff repeats, reiterates and realleges each and every allegation made in the above paragraphs of this complaint as if more fully set forth herein at length.

82. That at all times hereinafter mentioned, the Defendants Defendant BUENO slandered Plaintiff LLANOS.
83. That at all times hereinafter mentioned, the Defendant BUENO, made false accusatory, degrading, derogatory and slanderous statements about the Plaintiff.
84. That at all times hereinafter mentioned, Defendant BUENO was holding a meeting of the Managers for the stores that are within his district and at said meeting, Defendant BUENO called the Plaintiff LLANOS “CRAZY” defaming the Plaintiff’s good reputation.
85. The Plaintiff LLANOS is not “crazy” and has not acted in any manner that would cause one to conclude that she was “crazy.”
86. That at all times hereinafter mentioned, the Defendant BUENO, made the aforesaid slanderous statements about the Plaintiff LLANOS to third party individuals.
87. That Defendant BUENO knew that such statements were untrue.
88. That Defendant BUENO was motivated by malice, ill-will and spite.
89. That as a direct result of the foregoing, Plaintiff LLANOS has been damaged in an amount which exceeds the jurisdictional limits of all lower Courts.

**AS AN SEVENTH CAUSE OF ACTION FOR  
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

90. Plaintiff repeats, reiterates and realleges each and every allegation made in the above paragraphs of this complaint as if more fully set forth herein at length.
91. Defendants engaged in extreme and outrageous conduct.
92. Defendants intended to cause, or disregarded a substantial probability of causing, severe emotional distress to Plaintiff LLANOS.
93. There exists a causal connection between the above conduct and said injury.

94. As a result of said conduct Plaintiff LLANOS suffered and suffers from severe emotional distress.
95. That as a direct result of the foregoing, Plaintiff LLANOS has been damaged in an amount which exceeds the jurisdictional limits of all lower Courts.

### **INJURY AND DAMAGES**

96. As a result of the acts and conduct complained of herein, Plaintiff has suffered and will continue to suffer the loss and/or partial loss of a career and the loss and/or partial loss of a salary, bonuses, commissions, benefits and other compensation which such employment entails, out-of-pocket medical expenses and Plaintiff has also suffered future pecuniary losses, emotional pain, suffering, inconvenience, injury to reputation, loss of enjoyment of life, and other non-pecuniary losses. Plaintiff has further experienced severe emotional and physical distress.

**WHEREFORE**, Plaintiffs respectfully requests a judgment against the Defendants:

- A. Declaring that the Defendants engaged in unlawful employment practice prohibited by state common law, New York State Executive Law §296 et. Seq. and The New York City Administrative Code Title 8, §8-107 et. Seq.; and that the Defendants harassed, discriminated against, took adverse employment action against, and retaliated against Plaintiff on the basis of her sex;
- B. Awarding Plaintiff compensatory damages for mental, emotional and physical injury, distress, pain and suffering and injury to her reputation in an amount that exceeds the jurisdictional limit of all lower courts;
- C. Awarding Plaintiff punitive damages;
- D. Awarding Plaintiff attorney's fees, costs, and expenses; and

E. Awarding Plaintiff such other and further relief as the Court may deem equitable, just and proper to remedy the Defendants' unlawful employment practices.

Dated: New York, New York  
July 25, 2012

Respectfully Submitted

AKIN LAW GROUP PLLC  
Attorneys for Plaintiff

*/s/ Emre Polat*

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By: Emre Polat, Esq.  
45 Broadway, Suite 2650  
New York, NY 10006  
(212) 825-1400

**ATTORNEY'S VERIFICATION**

I, EMRE POLAT, being duly sworn deposes and state under the penalties of perjury that: I am an attorney duly admitted to practice law in the courts of New York State and am an associate of AKIN LAW GROUP PLLC, the attorneys of record for Plaintiff LLANOS in the within action;

I have read the foregoing, VERIFIED COMPLAINT, and know the contents thereof; the same is true to my own knowledge, except as to the matters therein alleged to be on information and belief, and as to those matters I believe them to be true.

The reason this verification is made by me and not by Plaintiff LLANOS is that Plaintiff LLANOS resides in a county other than where we maintain our office.

The grounds of my belief as to all matters not stated upon my own knowledge are as follows: Conversations with Plaintiff LLANOS, review of file and all the pleadings and proceedings heretofore had herein.

Dated: New York, New York  
July 27, 2012

*/s/ Emre Polat*

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EMRE POLAT, ESQ.



SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS

Index No:

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CAMILA LLANOS,

Plaintiff,

-against-

T-MOBILE USA, INC., GIUSEPPE DI BARTOLO  
and PETER BUENO,

Defendants.

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**SUMMONS AND VERIFIED COMPLAINT**

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**AKIN LAW GROUP PLLC**  
**Attorneys for Plaintiff**  
**45 Broadway, Suite 2650**  
**New York, New York 10006**  
**Tel. (212) 825-1400**  
**Fax. (212) 825-1440**