

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

MARLEE VALENTI,

Plaintiff,

v.

AMERICAN INTERNATIONAL GROUP, INC.,
MICHAEL DONNELLY, and JOHN DOES 1-10,

Defendants.

Index No.:

SUMMONS

Plaintiff designates **NEW YORK COUNTY** as the place of trial.

The basis of venue is Plaintiff's residence and the place where the acts complained of occurred.

To the above-named Defendants:

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

Dated: New York, New York
January 20, 2017

Attorneys for Plaintiff
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By: 

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TO: AMERICAN INTERNATIONAL GROUP, INC.
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COMPLAINT

JURY TRIAL DEMANDED

Plaintiff Marlee Valenti, by her attorneys, at the Filosa Law Firm, PLLC and Ferrara Law Group, P.C., as and for her Complaint against Defendants, alleges as follows:

PARTIES

1. Plaintiff Marlee Valenti (“Plaintiff” or “Valenti”) is a resident of the State of New York, County of New York. Plaintiff was employed by Defendant American International Group, Inc. from February 23, 2009 until January 21, 2014.

2. Upon information and belief, Defendant American International Group, Inc. (“AIG” or the “Company”) is a Delaware corporation with a principal place of business in the State of New York, County of New York.

3. Upon information and belief, Defendant Michael Donnelly (“Donnelly”) is a resident of the State of New York, County of New York. Donnelly was Valenti’s immediate supervisor while she was employed at AIG and upon information and belief, is still employed by AIG.

4. John Does 1-10 are unidentified individuals that participated in the conduct set forth below and were employees of AIG during Valenti’s tenure there.

SUMMARY OF ACTION

5. This is an action brought pursuant to the New York City Human Rights Law and New York State Human Rights Law, concerning the outrageous and unlawful mistreatment that Plaintiff suffered while employed at AIG, ultimately culminating in her unlawful termination.

6. Plaintiff had been employed at AIG for two years before she was transferred to Donnelly's group. Up until that point, she had been an exemplary employee, had won several company awards, and had been promoted. However, after she transferred to Donnelly's group, she, along with the few other female employees in that group, was subject to a never ending stream of harassment from the male employees of the group.

7. Beyond the harassment, Valenti also began receiving negative performance evaluations from Donnelly and other AIG supervisors, despite the fact that by all objective measures, Valenti's performance continued to be exemplary after she was transferred to Donnelly's group.

8. Valenti received a formal performance warning detailing a number of alleged issues with Valenti's work, the vast majority of them false. When Valenti sent a detailed written response, complete with evidence, it was ignored and Valenti was terminated shortly thereafter.

9. During this time, the overall number of females in this group was very limited – less than 10% of the overall workforce – and Valenti also witnessed repeated acts of harassment against her female colleagues.

10. Simply put, Donnelly's group was a "boys club" where females were not welcome. The few that worked in that group, including Valenti, were subject to intolerable conduct, and ultimately forced out to make way for more male employees. In doing so,

Defendants have violated both the New York City Human Rights Law and the New York State Human Rights Law.

BACKGROUND FACTS

11. Valenti began working at AIG in February 2009. She was hired as an Underwriter in the Commercial Public Management Liability: National Accounts Division

12. Valenti's work was excellent and she was promoted to Senior Underwriter within one year.

13. Additionally, Valenti was included in the First Group of Underwriters of the Quarter in early 2010, an award given to eight underwriters out of over 500.

14. At the end of 2010, Valenti was named First Underwriter of the Year, an honor given to only three AIG underwriters throughout the entire company.

15. Simply put, during her first two years at AIG, Valenti's work was exemplary, and she won multiple awards for her performance.

PLAINTIFF TRANSFERS TO THE CORPORATE DIVISION

16. At some point in 2011, the Commercial Public Management Liability: National Accounts Division merged with the Public Management Liability Commercial Lines Division.

17. At that point, Valenti was assigned to a new team where Michael Donnelly was her direct supervisor.

18. The Public Management Liability Commercial Lines Division had a reputation of being a "boys club," but Valenti was truly shocked at some of the conduct of its employees after her transfer.

19. For example, on multiple occasions, male employees would sneak under the desks of female employees in order to look up their skirts. Valenti witnessed multiple instances of this

occurring and heard about several more from female colleagues in her division.

20. Additionally, Valenti, along with many of her female colleagues, was subject to repeated instances where she was groped, licked, or forced to endure other forms of physical harassment from male employees.

21. Valenti also suffered countless acts of verbal harassment from male employees, as did her female colleagues.

22. Furthermore, Valenti believed that it was pointless to report such conduct to her supervisors or managers, since Donnelly was a willing participant in such behavior as were other supervisors in the Corporate Accounts Division.

23. The Public Management Liability Commercial Lines Division was hardly a welcoming place for women generally either.

24. Of the approximately 60 employees based in New York, less than 10% were female, and an even smaller percentage were in supervisory roles.

25. The turnover of female employees was also extremely high.

26. Furthermore, the Public Management Liability Commercial Lines Division demonstrated an obvious preference for hiring former male collegiate athletes during Valenti's tenure. While she does not recall a single female being hired during this time, she remembers that at least four male employees, all former male collegiate athletes, were hired.

27. Simply put, the Public Management Liability Commercial Lines Division did not welcome female employees.

28. Beyond the physical and verbal harassment that came with transferring to the Public Management Liability Commercial Lines Division, Valenti began to encounter professional hostility as well.

29. Although several senior managers had promised her that she would receive a promotion by June 2012, she did not receive a promotion for several months after that, finally being promoted to Underwriter Specialist in December 2012.

30. Furthermore, while her work continued to be exemplary, Donnelly, began to show clear disdain for Plaintiff and began openly questioning her commitment to AIG and to the Public Management Liability Commercial Lines Division.

31. In September 2013, Plaintiff received a formal written performance warning.

32. The vast majority of the issues set forth in the performance warning were false or were for things that male employees were not disciplined or put on a performance warning.

33. Despite the discriminatory nature of the performance warning, Plaintiff complied with the performance warning and achieved the vast majority of the goals set out in the performance warning.

34. Despite doing so, AIG, through Plaintiff's supervisors, continued to discriminate against Plaintiff and, as demonstrated by the below, continued their efforts to push Plaintiff out of the Company.

35. Plaintiff's largest account was taken away from her, and she was not informed of the decision until after the fact.

36. Plaintiff was denied new business opportunities despite the fact that brokers would contact her directly.

37. She was not permitted to attend important meetings for her clients, and her supervisors would often not respond to her requests for information regarding those meetings until the very last minute.

38. Beyond professional consequences of the unwarranted performance warning,

Plaintiff's colleagues and managers began to be freeze Plaintiff out.

39. For example, Plaintiff was excluded from division lunches and happy hours, and many managers would not speak to her unless absolutely necessary for business purposes.

40. Additionally, Plaintiff learned that many of her colleagues and managers were speaking negatively of her to brokers and competitors, damaging her reputation in industry.

41. Faced with this conduct, Plaintiff sought to rectify the issues set forth in the performance warning by submitting a written response complete with evidence on December 30, 2013. Plaintiff's submission was over 150 pages.

42. In that submission, Plaintiff also detailed much of the harassing conduct she had suffered at the hands of Donnelly and other AIG employees.

43. In response to Plaintiff's submission, a human resources representative met with her for less than one hour, asked questions that were already addressed in the written submission, and proceeded to perform a perfunctory investigation, after which Valenti was informed that there was no evidence that supported her claims.

44. However, Plaintiff is not aware of any investigation actually conducted by AIG's human resources department to investigate Valenti's claims of harassment.

45. On January 19, 2014, a representative of AIG's human resources department told Plaintiff that that did not find any evidence to support her claims. When Plaintiff requested further assistance on addressing her concerns, human resources refused to offer any additional assistance, telling her that they cannot tell her what to do.

46. On January 21, 2014, two days after her follow-up with human resources, AIG terminated Plaintiff's employment.

47. As further discrimination and retaliation, and in violation of AIG policy, AIG

denied Plaintiff her severance and bonus .

48. AIG also refused to pay Plaintiff's outstanding business expenses or her NYU tuition.

49. With regard to the tuition, AIG had been paying the tuition, but discontinued the payments while Plaintiff was still employed and did not notify her of this fact. As a result, Plaintiff incurred significant late fees from NYU because the tuition was not paid, and Plaintiff was forced to take out student loans to pay the remaining tuition.

50. As a result of AIG's failure to pay Plaintiff's business expenses and tuition, Plaintiff's credit score has decreased significantly, impairing her ability to take out additional student loans, along with other negative effects.

AS AND FOR THE FIRST CAUSE OF ACTION
(Harassment and Discrimination in Violation of New York City Human Rights Law, New York City Administrative Code §§ 8-107, *et seq.* against all Defendants)

51. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1 through 51 of the complaint as if set forth fully herein.

52. Donnelly and John Does 1-10 created a hostile work environment for Valenti based on Valenti's gender. The hostile work environment was sufficiently pervasive so as to detrimentally alter the terms, conditions, and privileges of Valenti's employment at AIG.

53. Donnelly and John Does 1-10 are primarily liable under NYCHRL § 8-107 for the hostile work environment at AIG because Donnelly created that environment as an "agent" of AIG within the meaning of NYCHRL § 8-107(1)(a).

54. AIG was Valenti's "employer" within the meaning of NYCHRL § 8-107(1)(a).

55. As Valenti's employer, AIG is vicariously liable for the hostile work environment created by Donnelly and John Does 1-10 at AIG pursuant to NYCHRL § 8-107(13)(a) and (b)

because (1) Donnelly exercised managerial and supervisory responsibility at AIG, both generally and with respect to Valenti herself, and (2) AIG had actual and constructive knowledge of Donnelly and John Does 1-10's unlawful actions because those actions was open and notorious within AIG.

AS AND FOR THE SECOND CAUSE OF ACTION
(Harassment and Discrimination in Violation of New York State Human Rights Law, New York State Executive Law §§ 296, *et seq.* against all Defendants)

56. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1 through 55 of the complaint as if set forth fully herein.

57. Donnelly illegally discriminated against Valenti by creating a hostile work environment for Valenti at AIG and placing her on a performance warning based on Plaintiff's gender. The hostile work environment created by Donnelly was sufficiently pervasive so as to detrimentally alter the terms, conditions, and privileges of employment, including but not limited to her ultimate termination.

58. AIG is also liable for the hostile work environment at AIG because each qualifies as an "employer" under NYSHRL § 296(1)(a). AIG was Valenti's actual employer.

AS AND FOR THE THIRD CAUSE OF ACTION
(Retaliation in Violation of New York New York City Human Rights Law, New York City Administrative Code §§ 8-107, *et seq.* against all Defendants)

59. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1 through 58 of the complaint as if set forth fully herein.

60. Defendants have retaliated against Plaintiff by terminating her employment with the Company in retaliation for exercising and/or attempting to exercise her rights under the City Human Rights Law, namely her December 30, 2013 submission wherein she complained of the harassing conduct from her supervisors and fellow employees.

61. As a direct and proximate result of the Defendants' unlawful retaliatory conduct in violation of the City Human Rights Law, Plaintiff has suffered, and continues to suffer, monetary and/or economic damages, including, but not limited to, loss of past and future income, compensation and benefits, for which Plaintiff is entitled to an award of damages.

62. As a direct and proximate result of the Defendants' unlawful retaliatory conduct in violation of the City Human Rights Law, Plaintiff has suffered and continues to suffer severe mental anguish and emotional distress, including, but not limited to, depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering, for which Plaintiff is entitled to an award of damages.

63. Defendants' unlawful retaliatory conduct constitutes malicious, willful and wanton violations of the City Human Rights Law for which Plaintiff is entitled to an award of punitive damages.

AS AND FOR THE FOURTH CAUSE OF ACTION
(Retaliation in Violation of New York State Human Rights Law, New York State Executive Law §§ 296, *et seq.* against all Defendants)

64. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1 through 63 of the complaint as if set forth fully herein.

65. Defendants have retaliated against Plaintiff by terminating her employment with the Company in retaliation for exercising and/or attempting to exercise her rights under the State Human Rights Law, namely her December 30, 2013 submission wherein she complained of the harassing conduct from her supervisors and fellow employees.

66. As a direct and proximate result of the Defendants' unlawful retaliatory conduct in violation of the State Human Rights Law, Plaintiff has suffered, and continues to suffer, monetary and/or economic damages, including, but not limited to, loss of past and future income,

compensation and benefits, for which Plaintiff is entitled to an award of damages.

67. As a direct and proximate result of the Defendants' unlawful retaliatory conduct in violation of the State Human Rights Law, Plaintiff has suffered and continues to suffer severe mental anguish and emotional distress, including, but not limited to, depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering, for which Plaintiff is entitled to an award of damages.

WHEREFORE, Valenti respectfully demands judgment as follows:

a) On her First Claim for Relief an award against all Defendants jointly and severally, in an amount to be determined at trial;

b) On her Second Claim for Relief an award against all Defendants jointly and severally, in an amount to be determined at trial;

c) On her Third Claim for Relief an award against all Defendants jointly and severally, in an amount to be determined at trial;

d) On her Fourth Claim for Relief an award against all Defendants jointly and severally, in an amount to be determined at trial

e) On her First and Third Claims for Relief, an award against all Defendants, jointly and severally, for punitive damages in an amount appropriate to punish Defendants for their willful, knowing, and intentional violations of the law, to deter Defendants from continuing such actions in the future, and to set an example for similarly situated employers establishing the importance of honoring applicable employment laws;

f) On her First and Third Claims for Relief, an award against Defendants for Valenti's attorneys' fees, and related costs and expenses as permitted by law;

g) All interest and costs, as permitted by law; and

h) For such other and further relief as the Court deems just and proper.

JURY DEMAND

Pursuant to C.P.L.R. § 4102, Plaintiff hereby demands a trial by jury on all issues of fact and damages stated herein.

Dated: New York, New York
January 20, 2017

FILOSA LAW FIRM, PLLC

By:  _____

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