SUPREME COURT STATE OF NEW YORK
COUNTY OF KINGS

_____X

ANN SEIFULLAH,

Plaintiff,

-v.-

THE CITY OF NEW YORK; DEPARTMENT OF EDUCATION OF THE CITY OF NEW YORK; and CHANCELLOR CARMEN FARIÑA both individually and in her official capacity.

Defendants.

_____X

Index No. _____
Date Purchased:

Plaintiff designates KINGS COUNTY as the place of trial.

SUMMONS

To the above named Defendant(s)

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 Plaintiffs' 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 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
June 12, 2016

Yours, etc.
Peter J. Gleason, PC

By:_____//PJG//_____
Peter J. Gleason
Counsel for Plaintiff
115 Christopher St.
Suite 2
New York, New York 10014
(212) 431-5030
PJGleason@aol.com

SUPREME COURT STATE OF NEW YORK
COUNTY OF KINGS

_____X

ANN SEIFULLAH,

Plaintiff,

-v.-

VERIFIED COMPLAINT
Jury Demand

THE CITY OF NEW YORK; DEPARTMENT OF EDUCATION OF THE CITY OF NEW YORK; and CHANCELLOR CARMEN FARIÑA both individually and in her official capacity.

Defendants.

_____X

The Plaintiff ANN SEIFULLAH, by her attorneys PETER J. GLEASON, PC, as and for her complaint against defendants' CITY OF NEW YORK, DEPARTMENT OF EDUCATION OF THE CITY OF NEW YORK and CARMEN FARIÑA both individually and in her official capacity, respectfully sets forth and alleges that:

INTRODUCTION

1. This is an action for equitable relief and money damages on behalf of plaintiff ANN SEIFULLAH, (hereinafter referred to as "Plaintiff") who was, and who is prospectively, deprived of her statutory and constitutional rights as a result of the defendants' policies and practices of discrimination based upon her gender, a hostile work environment, and retaliation. Said policies were implemented under color of law.

JURISDICTION AND VENUE

2. The jurisdiction of this Court is invoked pursuant to New York State Executive Law § 296 and New York City Administrative Code § 8-502.

3. The unlawful employment practices, violations of plaintiff's civil rights, and tortious acts complained of herein were committed within Kings County New York where

Defendant CITY OF NEW YORK maintains numerous Department of Education facilities including but not limited to Automotive High School.

4. Pursuant to NYCHRL § 8-502, Plaintiff will serve a copy of this Complaint upon the New York City Commission of Human Rights and the New York City Law Department, Office of the Corporation Counsel, within ten days of its filing, thereby satisfying the notice requirements of that section.

PLAINTIFF

5. Plaintiff, a female citizen of the United States of America over twenty-one (21) years of age, resides in Queens County and the State of New York and is an employee of defendant CITY OF NEW YORK (hereinafter referred to as the "CITY"). More specifically, Plaintiff is an employee of the DEPARTMENT OF EDUCATION OF THE CITY OF NEW YORK (hereinafter referred to as the "DOE"). For the purposes of this litigation, DOE may be used interchangeably with defendant City to identify the employer, which is defendant CITY.

DEFENDANTS

6. Defendant CITY was and is a municipal corporation organized and existing under and by virtue of the laws of the State of New York, and at all relevant times was plaintiff's employer, with its central offices in the county of New York, and diverse other offices and facilities throughout the City of New York.

7. Defendant DOE is the department of government of the City of New York that manages the city's public school system.

8. Defendant CARMEN FARIÑA is the Chancellor of the DOE. (hereinafter referred to as the "CHANCELLOR").

PROCEDURAL REQUIREMENTS

9. Plaintiff has filed this suit with this Court within the applicable statute of limitations period.

10. Plaintiff is not required to file a notice of claim. Discrimination claims under New York State Human Rights law are not subject to New York's notice of claim requirement; *Margerum v. City of Buffalo NY Ct. App.* 83 AD3d 1575, 1576.

BACKGROUND

11. On or about 2004, Plaintiff was selected to be a NYC Teaching Fellow and left her master's degree program at the University of Utah to pursue a teaching career in the NYC DOE.

12. From 2004-2005, Plaintiff was an English Language Arts (ELA) instructor at IS 52 in Inwood (Manhattan). Plaintiff performed so well that she received an award for making the most progress school-wide on student test scores in 8th-grade ELA.

13. From 2005-2010, Plaintiff was an ELA instructor at Henry Street School for International Studies (Henry St.), which comprised grades 7-12. Here, Plaintiff taught all grades. In 2007, Plaintiff was promoted to Director of Instruction for grades 7-9, which included curriculum supervision and new teacher coaching responsibilities.

14. After her second year of teaching in the NYC DOE, Plaintiff completed her Master of Arts in Education at City College (CUNY) and was asked to stay on as adjunct faculty for graduate-level courses that required experienced classroom instructors at the helm. She developed highly popular courses in Classroom Management and Content Area Reading Instruction at various CUNY campuses and taught nearly every semester from 2006-2009. Additionally, Plaintiff was hired by Columbia Teacher's College to teach summer courses and

year-long workshops to fellows in the prestigious Peace Corps Fellows program from 2008-2009. Plaintiff taught her courses through a "social justice" lens, and covered topics ranging from Classroom Management to Preparing for the First Year of Teaching.

15. While Plaintiff was the Director of Instruction at Henry Street for grades 7 – 9, she attempted to provide on-the-job training to a fellow teacher named Edward Boland.

16. Boland spent one year with the DOE and, by his own admission, was a failure as a teacher. Boland parlayed this failure into a tell-all book (*The Battle for Room 314: My Year of Hope and Despair in a New York City High School*), which discussed various students and educators at Henry Street. Upon information and belief, Boland's descriptions of Henry Street students in his book constitute violations of the Family Educational Rights and Privacy Act (FERPA) (The relevance of this will be discussed *infra*).

17. In 2010, Plaintiff was recruited to join the New York City Leadership Academy, a training and proving ground for potential principals. Plaintiff entered the program in the summer of 2010, completed the program in 2011, and was selected by her peers to be the speaker at graduation. Even before completing the Leadership Academy, Plaintiff caught the attention of cluster leader Corrine Rello-Anselmi (now the Deputy Chancellor of Special Education), who offered Plaintiff the opportunity to become principal of Robert F. Wagner, Jr. Secondary School for Arts & Technology. Five months before Plaintiff completed the Leadership Academy, she was appointed interim acting Principal of Robert F Wagner, Jr Secondary School for Arts & Technology by Chancellor Dennis Walcott.

18. While Plaintiff was principal of Robert F Wagner, Jr Secondary School for Arts & Technology (2011-2014), the graduation rate increased over 20% and the college acceptance rate more than doubled.

19. During Plaintiff's tenure as a principal, she was asked by Deputy Chancellor Shael Surasky to join the Chancellor's Council of Principals to give a "rookie" principal perspective on academic policies and procedures. This honor was bestowed on only 12 of the 1,800 principals in the NYC DOE. Plaintiff served on this council for two years.

20. By all measures, Plaintiff was a well-regarded, "rising star," within the NYC DOE.

21. Plaintiff's "rising-star," status came to a screeching halt on May 4, 2014, when Sue Edelman (Edelman) of the *New York Post* published an article (with photographs) entitled: "Principal removed after sex-in-school probe." The basis for Edelman's article was false information that Edelman received from Plaintiff's disgruntled former boyfriend (Ex-Boyfriend). The article came out shortly after Plaintiff stopped submitting to Ex-Boyfriend's demands for sums of money and full financial support.

22. Plaintiff's Ex-Boyfriend made numerous salacious, sexually charged allegations against Plaintiff to the NYC DOE in furtherance of his threat that, should Plaintiff refuse his demands for money, he would ensure that Plaintiff was unemployable and “undate-able”.

23. All allegations made by Ex-Boyfriend were determined to be unsubstantiated by the New York City Department of Education Office of Special Investigations (OSI) in its Investigative Report dated December 2, 2014.

24. OSI's report dated December 2, 2104, was withheld from Plaintiff by the DOE until on or about March 11, 2015

25. It should be noted that the OSI investigation concluded that it was likely that the photographs of the Plaintiff printed by the *New York Post* that were alleged to have come from DOE computers were actually placed on the DOE computers by Plaintiff's Ex-Boyfriend.

26. The OSI report concluded that Plaintiff engaged in minor infractions well after the unrelated sexually charged false allegations made by Plaintiff's Ex-Boyfriend.

27. One infraction that was substantiated by OSI was personal e-mailing with a male Chief of Staff (SG) in the Chancellor's Office who the Plaintiff dated (after she had broken up with Ex-Boyfriend) from on or about February 2014 - May 4, 2014.

28. The DOE, like many institutions (particularly agencies that fall under the purview of Defendant CITY), is reactive rather than proactive. To wit, the removal of Plaintiff from Robert F. Wagner, Jr. Secondary School for Arts & Technology was a direct result of Edelman's informing the DOE that she was doing a story on the sexually charged allegations made against Plaintiff by her Ex-Boyfriend. This was confirmed to Plaintiff by SG, who was a high-level official in the Chancellor's Office, as well as a former employee of the *New York Post*.

29. SG on or about August 2014, informed Plaintiff that he (SG) had a conversation with Courtneye Jackson-Chase (Chancellor's chief counsel). During SG's conversation with Courtneye Jackson-Chase, SG was informed that the Chancellor, pursuant to her (Chancellor's) conversation with Deputy Chancellors Phil Weinberg and Corrine Rello-Anselmo, would not prefer charges to SG for the same alleged infraction that Plaintiff is accused of, see para. 27, supra.

PLAINTIFF WAS DISPARATELY TREATED BY THE

DOE BY REASON OF HER GENDER

30. A male Assistant Principal (DV) was also subjected to false allegations by Ex-Boyfriend; To wit, Ex-Boyfriend alleged that Plaintiff and DV engaged in sexual relations on school grounds. (These allegations as with all of Ex-Boyfriend's allegations were unsubstantiated) upon information and belief, he, DV, remains in his position as an Assistant

Principal.

31. SG, by virtue of his high-level position in the Chancellor's office, was privy to communications Edelman had with the DOE regarding the timing of her *NY Post* article. To wit, SG privately informed Plaintiff, on the Thursday before Edelman's article was published (Sunday May 4, 2014) that she (Plaintiff) would be the front-page story the following Sunday (May 4, 2014). As a former *NY Post* employee himself, SG was aware that Edelman's deadline for Sunday's paper was end-of-business the previous Thursday.

32. During their brief relationship, Plaintiff shared with SG that Ex-Boyfriend had extorted money from Plaintiff; that Ex-Boyfriend was fully financially supported by Plaintiff; and that Ex-Boyfriend constantly threatened Plaintiff with harm should she (Plaintiff) fail to submit to his financial demands.

33. While SG was in a position to clarify the context of the false allegations for both the DOE's Chancellor's Office and his former colleague at the *NY Post*, Edelman, SG instead chose to tell Plaintiff, in sum and substance: "Once you're in the cross hairs of the *NY Post*, even if they're wrong, they won't stop." SG further informed Plaintiff that he no longer wished to communicate with Plaintiff.

34. As previously mentioned in Para. 27, supra, the OSI report substantiated that both SG and Plaintiff had e-mailed each other from workplace electronic devices, effectively committing the same infraction.

35. SG (a male) was protected by the DOE brass, while Plaintiff (a female) was thrown to the wolves. To wit: Plaintiff was made aware that the DOE protected SG because the OSI report, even though it was completed on December 2, 2014, was not provided to Plaintiff until after SG had formalized his (SG) plans to exit the DOE. Upon information and belief, SG

had found other employment by the first week of March 2015 and formally resigned effective on or about June 7, 2015.

36. Plaintiff was demoted from Principal to teacher on June 15, 2015, which upon information and belief was contemporaneous with SG's removal from the DOE payroll.

37. SG, on or about August 2015, contacted Plaintiff and explained, with remorse, that he had been completely unnerved and intimidated by the DOE investigator who, he said, twisted his words. SG further shared with Plaintiff that he (SG) was well aware of the manner in which the DOE protected him (a male) while, at the same time, throwing Plaintiff (a female) under the bus.

38. SG further reinforced to Plaintiff that, based on his experience as a high-level official in the DOE (to put it in perspective: at the relevant time, SG was within the top ten of DOE's hierarchy in an organization that has approximately 50,000 employees), that the DOE treated Plaintiff (a female) differently than it had treated any male directly embroiled in Ex-Boyfriend's false allegations as well as any male DOE employee victimized by collateral damage inflicted by Ex-Boyfriend's false allegations.

39. SG further shared with Plaintiff that, in his experience as a top-level official in the DOE, the DOE will turn a blind eye to allegations, false or otherwise, regarding sexual misconduct when a male employee is involved. In contrast, the DOE will seek to make an example of any female employee under the same circumstances.

40. Not only was SG protected, but the OSI investigation was manipulated by the DOE so that it was not released until SG was safely ensconced in another career.

41. Regarding the instant matter: All males involved, from Ex-Boyfriend to DV to SG, have been protected by the DOE to the detriment of the Plaintiff. To wit, upon information

and belief the DOE is well aware that Ex-Boyfriend's credibility is, at best, questionable. The DOE placated Ex-Boyfriend. Upon information and belief, Plaintiff was removed from her position as principal of Robert F. Wagner, Jr. Secondary School for Arts & Technology only because of the scurrilous *NY Post* article, which focused on Plaintiff, a female. (In contrast, male Principal Howard Kwait, under similar circumstances, was treated much differently by the DOE as discussed *infra*.)

42. Ex-Boyfriend, in sworn testimony (April 27, 2015) answered the following questions in the following manner:

> Q. Can you explain how certain photographs ended up in the hands of the *NY Post*?
>
> A. Well, I had a meeting with the *NY Post* because I know once Ms. Seifullah was removed, that it was going to become a newsworthy story. However, because children were involved I wanted to do what was called massage the media.

(During this line of questioning, the Court interceded with its own inquiry:)

By the Court:

> Q. You wanted to do what?
>
> A. It's a term in public relations --
>
> Q. Oh
>
> A. -- called massage the media.
>
> Q. Massage the media?
>
> A. Massage the media.
>
> Q. Okay.

A. What that basically means --

Q. You said you had a meeting with the *New York Post*?

A. I met with Sue Edelman who is a writer.

Q. Okay.

A. And then I had a subsequent meeting at the Fox Offices, Fox News. Does that answer your question sir?

Q. I'm sorry. Is that part of massaging the media? Was that what you were doing?

A. Yes, because this story would have likely exploded all over the news, all over the papers. Because there were four children involved, my three children, and her son, who I believe was 3 or 4 at the time. I wanted to minimize the actual exposure. So the way to do that is what you do is you call an exclusive with the papers.

43. As one can see from the aforementioned testimony, there would have been no salacious tabloid coverage of the Plaintiff but for Ex-Boyfriend's "massaging" of Edelman. Upon information and belief, the DOE was aware of the aforementioned testimony.

44. The photograph that ran with the *NY Post* story, depicting a scantily-clad Plaintiff, is the property of the individual who took said photograph; it does not belong to Ex-Boyfriend. Ex-Boyfriend misappropriated (consistent with the OSI findings) said photograph from Plaintiff's private computer and, upon information and belief, transferred said image(s) to a DOE computer and provided those photographs to the *NY Post* along with the false indication that these photo(s) originated from the DOE device.

45. Ex, in sworn testimony (April 27, 2015), answered the following questions in the

following manner:

> Q. So Mr. [redacted] (Ex-Boyfriend), what did you provide to Susan Edelman of the *New York Post*?
>
> A. She interviewed me. I gave her my story. Of course when you're dealing with a journalist, and an editor-in-chief, you have to provide what's considered ample proof in order for it to be newsworthy. They asked for things, I provided them.
>
> Q. What were the things they asked for?
>
> A. There were a couple of photographs. They had -- they wanted some proof that she had actually was capable of doing the things that she did. They asked for contact numbers of the other parties. I gave them whatever they asked for.

46. Ex-Boyfriend's testimony is duplicitous and nonsensical. In one breath, he admits that he wants to manipulate ("massage") the media, and he then admits to providing photographs unrelated to his allegations. To wit, Ex makes the dubious assertion that a provocative photo of Plaintiff demonstrates what she is capable of.

47. The DOE, even after a finding that all allegations made by Ex-Boyfriend were unsubstantiated, still maintains a disciplinary action against Plaintiff only because Plaintiff is a female.

FURTHER EXAMPLES OF DOE MISOGYNY

48. As previously mentioned, Boland, a self-professed failure as a teacher, turned that experience into a best-selling book. Upon information and belief, the DOE is aware of Boland's literary success and that throughout his publication there are clear violations of FERPA. While

Boland may no longer be under the jurisdiction of the DOE, the DOE has standing to initiate a proceeding or, at a minimum, file a complaint with the US Department of Education against its former employee Boland for his clear disregard of, among other things, the personal identifiable student data. Upon information and belief, the DOE will not initiate any proceeding or file any complaint against Boland due to his gender.

49. As previously referenced in paragraph 41, Principal Howard Kwait (Kwait) was himself the subject of sexually charged allegations; yet, he was never removed from his position as a principal. Furthermore, the same male DOE official, Juan Mendez, a District Superintendent, was an initial decision-maker in determining how to handle the allegations against Plaintiff and the allegations against Kwait. Upon information and belief, the favorable treatment Kwait received in the wake of allegations against him relates directly to his gender while the unfavorable and disproportionate treatment Plaintiff continues to endure relates directly to her gender.

50. Another glaring example of how allegations against male supervisory DOE employees are handled is the matter of Principal John Chase (Chase). The sexually charged allegations made against him initially resulted only in a disciplinary letter in his personnel file and a referral to undergo sensitivity training. Upon information and belief, the mild manner in which the DOE handled the Chase matter, which stands in stark contrast to the draconian treatment Plaintiff received, is due to gender bias.

51. Another recent example of gender bias is the matter of Principal Anthony Lombardi (Lombardi). Lombardi was accused of sexual harassment. Upon information and belief, Lombardi experienced no disruption in his DOE career and was treated in a manner consistent with male privilege that permeates the DOE.

52. On or about December 23, 2011, Tiffany Webb, a well regarded DOE guidance counselor was terminated from her position because years earlier she had modeled in lingerie and bikinis. Upon information and belief Ms. Webb's images were misappropriated (like those of Plaintiff in the instant matter) and placed on the Internet without Ms. Webb's authorization. The DOE, rather than acknowledge that both Ms. Webb and the Plaintiff were victimized, chose to discard both as collateral damage in the DOE's misogynist world.

CONSTRUCTIVE TERMINATION

53. Immediately after the *NY Post* article of May 4, 2014, Plaintiff was urged to resign by the DOE, even though all allegations lodged by Ex-Boyfriend were eventually determined to be unsubstantiated by DOE investigators. Since May 4, 2014, Plaintiff has either been assigned positions that were meant to further humiliate her or positions that the DOE knew were detrimental to her safety, health and well-being.

54. From May 4, 2014, through mid-May 2014, Plaintiff reported to a DOE facility located at 49-51 Chambers Street, NY, NY.

55. From mid-May through July 25, 2014, Plaintiff was placed on authorized medical leave.

56. From July 28, 2014, through August 29, 2014, Plaintiff spent each work day in a vacant room with no work assignment. Plaintiff had asked for a work assignment, and was told that she was not allowed to receive any work to do.

57. From September 2, 2014, through June 30, 2015, Plaintiff was assigned to the Medical Leaves and Records Division located at 65 Court Street, Brooklyn, New York.

58. Sometime in mid-June 2015, Plaintiff's pay rate was reduced from that of Principal to that of Teacher. When Plaintiff inquired as to the rationale behind the reduced

paycheck, Plaintiff was informed that not only was she demoted but that the demotion was retroactive to April 1, 2015. The DOE payroll office notified Plaintiff the she owed the DOE in excess of $20,000 in back salary and commenced garnishing her paycheck. Said garnishments ceased with no explanation several months later in November of 2015, but Plaintiff's salary remained at the reduced Teacher's level.

59. Plaintiff, during the summer break of 2015, through the encouragement of a friend and fellow member of her church, was sponsored to sit for her real estate sales license. This is of relevance here, as Plaintiff's friend from her house of worship were recently harassed by DOE investigators.

60. From September 8, 2015 through mid-October 2015, Plaintiff was ordered to be placed back in a DOE school as an Absent Teacher Reserve (ATR) and was assigned to the HS for Public Safety & Law Enforcement in South Jamaica, Queens. Here, Plaintiff taught 9th- and 10th- grade ELA to fill a vacant position. During this time, the DOE sent Plaintiff to interview at a variety of schools. Plaintiff received emails indicating that her failure to appear for mandatory interviews could result in disciplinary action up to termination.

61. Plaintiff, having experienced firsthand how females within the DOE are treated as opposed to their male counterparts, was unnerved by being back in any DOE facility--particularly a school. To wit, by this time Plaintiff was aware that the DOE investigators had unsubstantiated all Ex-Boyfriend's allegations, yet the DOE had done nothing to rectify the public record and restore her professional rank.

62. On October 15, 2015, Plaintiff was instructed by the DOE to interview at Automotive High School, (an all boys high school) where she was interviewed by principal Caterina Lafergola and assistant principal Jen Surage and offered an ELA teaching position on

the spot. Plaintiff warned the administrators about her tabloid-story history and that it might cause trouble in the school. They both assured Plaintiff that it wouldn't be a problem.

63. Plaintiff's counsel continually attempted to warn the DOE about the perils of the way it was handling Plaintiff's situation. The following is an e-mail sent on July 18, 2015, to then-Chief Counsel Courtney Jackson-Chase; this correspondence resulted in a meeting with another DOE attorney, Laura Brantley, but not until November 2, 2015.

Dear Ms. Jackson-Chase,

> To date my last attempts on June 21 & 22, 2015 to discuss the Annie Seifullah matter with you did not result in any response from you. Alternatively, on June 22, 2015 Ms. Seifullah was served with 3020a charges.
>
> Assuming that you have no intention of discussing this matter with me, this e-mail shall serve to memorialize the concerns as to how Ms. Seifullah is being disparately treated from her male colleagues. That being said it is requested that the clearly defective notice of suspension/demotion be immediately rescinded.
>
> My office's investigation of this matter revealed the following: The elephant in the room is none other than the former Tweed wonder boy, (SG.) Mr. (SG's) name was not only intentionally absent from the charges Ms. Seifullah received
> but the following time-line clearly indicates that (SG's) involvement was a motivating factor in the manner in which the DOE has handled this matter.

Specifically, shortly after the SCI investigation report was completed (December 2014 but not served upon Ms. Seifullah until months later which coincided with Mr. SG's DOE departure), there was a meeting with Mr. SG in which he was informed that if it were up to you, he would be fired from the DOE for substantiated misconduct. Mr. SG was further informed that the only reason that he hadn't been fired was because Deputy Chancellors Phil Weinberg and Corrine Rello-Anselmo stood up for him and said that the misconduct was ridiculous and didn't warrant him being fired. Furthermore, Mr. SG was informed that if the story of his relationship with Ms. Seifullah was revealed in the media, he would immediately be fired from the DOE. (contemporaneous with Mr. SG's departure from the DOE, Ms. Seifullah was served with the stale charges)

Further solidifying the notion of gender discrimination is the notion that the male principal profiled in the enclosed news article has never been disciplined for far more serious allegations (that have cost the taxpayers dearly) then Ms. Seifullah has been accused of.

http://nypost.com/2015/06/11/pervy-principal-keeps-his-job-despite-draining-city-in-legal-fees/

Again, I request a meeting with your office in order to discuss an amicable solution to this matter. If I do not receive an affirmative response from you by end of business on July 24, 2015, I will advise my

client accordingly.

Thank you in advance for your attention in this matter.

Regards,

Peter J. Gleason, Esq.

64. On November 2, 2015, counsel for Plaintiff, along with Plaintiff, met with DOE attorney Laura Brantley. The DOE attorney was informed of the dangers Plaintiff faced being back in the classroom. These concerns fell on deaf ears. Additionally, Plaintiff offered a resolution to the DOE that would have ended this saga prior to Plaintiff being diagnosed with a Line of Duty permanent partial disability that has destroyed her teaching career within the NYC DOE.

65. Plaintiff, from October 19 - November 12, 2015, was an ELA teacher for grade 9 at Automotive High School.

66. Plaintiff's warning of impending danger came to fruition on November 12, 2015 when Plaintiff was victimized in the workplace, an experience that has resulted in a permanent disability that the DOE refuses to acknowledge or act upon.

67. In contrast, the NYPD took appropriate action, as a result of the incident of November 12, 2016, to protect the Plaintiff.

68. On November 22, 2016, Edelman, for the *NY Post*, penned yet another article profiling Plaintiff, where the DOE did nothing to clarify the facts. Rather that DOE press office, who reports directly to the Chancellor, stated that it was a “mistake” and “oversight" to place Plaintiff back in the classroom.

69. Effective November 17, 2015, Plaintiff was reassigned to Medical Leaves Records. Plaintiff was unable to report because of the Line of Duty Injury (LODI) she sustained

on November 12, 2015. Plaintiff was on LODI (which the DOE refuses to acknowledge) until January 2, 2016.

70. Plaintiff, while under the care of her physician, returned to work on January 4, 2016, at the DOE's Medical Leave Records. Plaintiff continued to report for work until January 22, 2016.

71. On January 25, 2016, Plaintiff, under the direction of her physician who found her injury causally related to the incident at Automotive HS on November 12, 2015, went back on LODI through the present.

72. The DOE refuses to act upon Plaintiff's LODI application or investigate the incident of November 12, 2015.

AS AND FOR A FIRST CAUSE OF ACTION

GENDER DISCRIMINATION

IN VIOLATION OF NEW YORK STATE EXECUTIVE LAW § 296

73. Plaintiff hereby repeats, reiterates and re-alleges each and every allegation in each of the preceding paragraphs as if fully set forth herein.

74. New York State Executive Law § 296 et seq., makes it unlawful to discriminate against any individual in the terms, conditions, or privileges of employment on the basis of gender.

75. As a result of the acts of the defendants' under color of law, plaintiff suffered emotional distress, monetary damage, loss of pension rights and incurred medical and legal expenses, and out of pocket expenses of pursuing the claims herein.

AS AND FOR A SECOND CAUSE OF ACTION

RETALIATION

IN VIOLATION OF NEW YORK STATE EXECUTIVE LAW § 296

76. Plaintiff hereby repeats, reiterates and re-alleges each and every allegation in each of the preceding paragraphs as if fully set forth herein.

77. New York State Executive Law § 296 et seq., makes it unlawful to discriminate against any individual in the terms, conditions, or privileges of employment on the basis of gender. The law also makes it unlawful to create a severe and hostile environment where retaliation, race, color, and gender discrimination are encouraged and/or tolerated.

78. As a result of the acts of the defendants' under color of law, plaintiff suffered emotional distress, monetary damage, loss of pension rights and incurred medical and legal expenses, and out of pocket expenses of pursuing the claims herein.

AS AND FOR A THIRD CAUSE OF ACTION

HOSTILE WORK ENVIRONMENT

IN VIOLATION OF NEW YORK STATE EXECUTIVE LAW § 296

79. Plaintiff hereby repeats, reiterates and re-alleges each and every allegation in each of the preceding paragraphs as if fully set forth herein.

80. New York State Executive Law § 296 et seq., makes it unlawful to discriminate against any individual in the terms, conditions, or privileges of employment on the basis of gender. The law also makes it unlawful to create a severe and hostile environment where retaliation, race, color, and gender discrimination are encouraged and/or tolerated.

81. As a result of the acts of the defendants' under color of law, plaintiff suffered emotional distress, monetary damage, loss of pension rights and incurred medical and legal

expenses, and out of pocket expenses of pursuing the claims herein.

AS AND FOR A FOURTH CAUSE OF ACTION

GENDER DISCRIMINATION

IN VIOLATION OF NEW YORK CITY ADMINISTRATIVE CODE § 8-502

82. Plaintiff hereby repeats, reiterates and re-alleges each and every allegation in each of the preceding paragraphs as if fully set forth herein.

83. New York City Administrative Code § 8-502, makes it unlawful to discriminate against any individual in the terms, conditions, or privileges of employment on the basis of gender.

84. As a result of the acts of the defendants' under color of law, plaintiff suffered emotional distress, monetary damage, loss of pension rights and incurred medical and legal expenses, and out of pocket expenses of pursuing the claims herein.

AS AND FOR A FIFTH CAUSE OF ACTION

RETALIATION

IN VIOLATION OF NEW YORK CITY ADMINISTRATIVE CODE § 8-502

85. Plaintiff hereby repeats, reiterates and re-alleges each and every allegation in each of the preceding paragraphs as if fully set forth herein.

86. New York City Administrative Code § 8-502, makes it unlawful to discriminate against any individual in the terms, conditions, or privileges of employment on the basis of gender. The law also makes it unlawful to create a severe and hostile environment where retaliation, race, color, and gender discrimination are encouraged and/or tolerated.

87. As a result of the acts of the defendants' under color of law, plaintiff suffered emotional distress, monetary damage, loss of pension rights and incurred medical and legal

expenses, and out of pocket expenses of pursuing the claims herein.

AS AND FOR A SIXTH CAUSE OF ACTION

HOSTILE WORK ENVIRONMENT

IN VIOLATION OF NEW YORK CITY ADMINISTRATIVE CODE § 8-502

88. Plaintiff hereby repeats, reiterates and re-alleges each and every allegation in each of the preceding paragraphs as if fully set forth herein.

89. New York City Administrative Code § 8-502, makes it unlawful to discriminate against any individual in the terms, conditions, or privileges of employment on the basis of gender. The law also makes it unlawful to create a severe and hostile environment where retaliation, race, color, and gender discrimination are encouraged and/or tolerated.

90. As a result of the acts of the defendants' under color of law, plaintiff suffered emotional distress, monetary damage, loss of pension rights and incurred medical and legal expenses, and out of pocket expenses of pursuing the claims herein.

PRAYER FOR RELIEF

WHERFORE, Plaintiff prays that the Court enter judgment in her favor and against Defendants, containing the following relief:

A. A declaratory judgment that the actions, conduct and practices of Defendants complained of herein violate the laws of the United States, the State of New York and the City of New York;

B. An injunction and order permanently restraining Defendants from engaging in such unlawful conduct;

C. An order directing Defendants to place Plaintiff in the position she would have occupied but for Defendants' discriminatory treatment and otherwise unlawful conduct,

as well as to take such affirmative action as is necessary to ensure that the effects of these unlawful employment practices are eliminated and do not continue to affect her employment and personal life;

D. An award of damages in an amount to be determined at trial, plus prejudgment interest, to compensate Plaintiff for all monetary and/or economic damages, including but not limited to, the loss of past and future income, wages, compensation, seniority and all other benefits of employment.

E. An award of damages in an amount to be determined at trial, plus prejudgment interest, to compensate Plaintiff for all monetary and/or economic damages, including but not limited to, compensation for her mental anguish, humiliation, embarrassment, stress and anxiety, emotional pain and suffering and emotional distress.

F. An award of damages in an amount to be determined at trial, plus prejudgment interest, to compensate Plaintiff for harm to her professional and personal reputation and loss of career fulfillment;

G. An award of damages for any and all other monetary and/or non-monetary losses suffered by Plaintiff in an amount to be determined at trial, plus prejudgment interest;

H. An award of punitive damages;

I. An award of costs that Plaintiff has incurred in this action, as well as Plaintiff's reasonable attorney's fees to the fullest extent permitted by law; and

J. Such other and further relief as the Court may deem just and proper.

K. Damages sought exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

JURY DEMAND

Plaintiff hereby demands a trial by jury on all issues of fact and damages stated herein.

Dated: New York, New York
June 12, 2016

Yours, etc.
Peter J. Gleason, PC

By:_____//PJG//_____
Peter J. Gleason
Counsel for Plaintiff
115 Christopher St.
Suite 2
New York, New York 10014
(212) 431-5030
PJGleason@aol.com

ATTORNEY'S VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

PETER J. GLEASON, an attorney, affirms under penalties of perjury:

That he is the attorney for the plaintiff in the within entitled action. That she has read the foregoing COMPLAINT and knows the contents thereof. That the same is true to her own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters, he believes it to be true.

That the reason this Verification is made by your affirmant and not by the plaintiff is that the plaintiff does not reside in the county where your affirmant has his office.

That the sources of your affirmant's information and belief are conversations had with the plaintiff as well as records on file and in his possession.

Dated: New York, New York
June 12, 2016

_____//PJG//_____
PETER J. GLEASON