

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

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KAREN SIMONS,

Plaintiff

-against-

PETRARCH LLC d/b/a ELECTRUM  
and HICHAM ABOUTAAM,

Defendants.  
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Index No.:

Date Purchased:

**SUMMONS**

Plaintiff designates NY  
County as the place for trial.

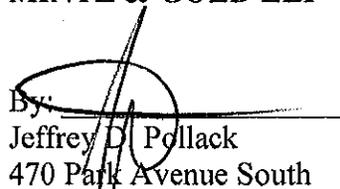
**TO THE ABOVE-NAMED DEFENDANTS:**

**YOU ARE HEREBY SUMMONED** to serve a copy of your answer on Plaintiff's attorney(s) within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (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, judgment will be taken against you by default for the relief demanded in the Complaint.

The basis of venue is CPLR 503(a).

Dated: New York, New York  
September 27, 2013

**MINTZ & GOLD LLP**

By:   
Jeffrey D. Pollack  
470 Park Avenue South  
10<sup>th</sup> Floor North  
New York, New York 10016  
(212) 696-4848

To: Hicham Aboutaam  
47 East 66<sup>th</sup> Street  
New York, NY 10065

Petrarch LLC  
d/b/a Electrum  
47 East 66<sup>th</sup> Street  
New York, NY 10065

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

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KAREN SIMONS, :  
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 Plaintiff, : Index No. 2013/\_\_\_\_\_  
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 v. :  
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 PETRARCH LLC d/b/a ELECTRUM : **COMPLAINT**  
 and HICHAM ABOUTAAM : **Jury Trial Demanded**  
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 Defendants, :  
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Plaintiff, Karen Simons (“Plaintiff”), by her attorneys, Mintz & Gold LLP, as and for her complaint (the “Complaint”) against defendant Petrarch LLC d/b/a Electrum (“Petrarch”) and defendant Hicham Aboutaam (“Aboutaam”) (collectively the “Defendants”) alleges of the Defendants as follows:

**Nature of the Action**

1. Plaintiff brings this action to remedy sex discrimination (sexual harassment) in employment and retaliation under the New York State Human Rights Law, New York Executive Law § 296 et seq. (the “Executive Law”) and the Administrative Code of the City of New York § 8-107 et seq. (the “City Law”), and for civil battery.
2. Plaintiff seeks compensatory and punitive damages, including damages for physical pain and suffering, emotional pain and suffering, back pay, front pay, interest, costs and attorneys’ fees, and other appropriate equitable and legal relief.
3. Pursuant to § 8-502(c) of the City Law, prior to filing the Complaint, Plaintiff served a copy of the Complaint on the City of New York Commission on Human Rights and the City of New York Corporation Counsel.

### The Parties

4. Upon information and belief, Petrarch is a foreign corporation doing business as Electrum, an art gallery located at 47 East 66<sup>th</sup> Street in Manhattan.
5. Petrarch is an employer within the meaning of the Executive Law and the City Law.
6. At all relevant times, Petrarch had at least four employees.
7. Plaintiff was employed by Petrarch as an Executive Assistant for Aboutaam from August 13, 2008 until February 1, 2013, when she was discharged.
8. Plaintiff was discharged because she rejected Aboutaam's and a client's repeated sexual advances and because she complained about these advances and other inappropriate conduct.
9. Plaintiff is a citizen of New York State.
10. Aboutaam is an owner and the President of Petrarch.
11. Aboutaam personally engaged in the unlawful acts described herein.
12. During Plaintiff's employment with Petrarch, Aboutaam supervised her and had the authority to control the terms and conditions of her employment and to terminate her employment.

### Facts

13. Plaintiff's duties while working at Petrarch consisted of:
  - a. Scheduling and coordinating all meetings and travel for Aboutaam;
  - b. Maintaining Aboutaam's calendar and e-mails;
  - c. Answering the gallery phone;

- d. Paying Aboutaam's personal bills such as his cable, mortgage, insurance, credit card bill and other personal bills;
- e. Picking up Aboutaam's children from school on occasion;
- f. Scheduling appointments and lunches with clients;
- g. Executing projects and portfolios for Aboutaam to present to his clients;
- h. Greeting clients and visitors who came to the gallery;
- i. Watching over Aboutaam's four children on occasion;
- j. Assisting Aboutaam's wife, Dina Freij Aboutaam;
- k. Traveling with Aboutaam and his family on vacation to take care of his children;
- l. Maintaining gallery upkeep.

14. Never during Plaintiff's four and half years of employment with Petrarch did she ever receive an employee manual, any policies on sexual harassment or any sexual harassment training/prevention.

15. On numerous occasions Plaintiff was subjected to sexual comments, questions, remarks as well as unwanted sexual contact from Aboutaam.

16. On numerous occasions Plaintiff was subjected to sexual comments, questions, remarks as well as unwanted sexual contact from clients present in the art gallery in the presence of Aboutaam.

17. After only six months of employment at Petrarch the sexual comments and questions began.

18. Throughout Plaintiff's employment Aboutaam made comments to Plaintiff such as:

- a. You are so pretty.
- b. You should wear tighter pants when you come to work.
- c. You have a very nice body.

19. Plaintiff complained to Aboutaam that his comments made her uncomfortable and caused her to feel disgusting all the time and asked him to stop.

20. Aboutaam would respond by insincerely apologizing, yet continue to make comments.

21. Throughout Plaintiff's employment, Aboutaam forcibly grabbed Plaintiff's buttocks and picked her up. This happened at least five times.

22. Throughout Plaintiff's employment, Aboutaam touched her waist, arms and hands almost on a daily basis.

23. Throughout Plaintiff's employment, clients would come to the gallery and openly make sexual comments to Plaintiff in the presence of Aboutaam.

24. Aboutaam never told any of the clients not to make such comments. To the contrary, Aboutaam would laugh at the comments.

25. The Plaintiff complained to Aboutaam that the comments made her feel uncomfortable and caused her to feel disgusting and asked him to stop.

26. Aboutaam would respond to the effect of "These are good clients and if they want to ask you these questions they can."

27. Aboutaam would also respond to the effect of "You are a big girl. I don't need to defend you."

28. On at least one occasion Aboutaam responded by telling Plaintiff "If you don't like it, you don't have to work here."

29. The following are examples of the questions and remarks the Plaintiff frequently heard from clients in the presence of Aboutaam:

- a. How many times a day do you have sex?
- b. Do you fuck your husband regularly?
- c. You are a very pretty girl.
- d. Can I have a hug from you?
- e. Are you fucking him? [gesturing towards Plaintiff's co-worker Alex Gherardi].
- f. How many times do you fuck him? [gesturing towards Plaintiff's co-worker Alex Gherardi].
- g. Do you have sex with Hicham?
- h. You are so beautiful.

30. On numerous occasions the sexual questions and comments were made in front of other co-workers as well, such as Emily Davis, Alex Gherardi and Bibiane Choi.

- a. On one particular occasion Aboutaam requested Plaintiff to stay after business hours to help sell a piece of art to a particular client that often asked about Plaintiff.
- b. Aboutaam told Plaintiff, "I have a better chance at selling the piece if you are here because Michael Steinhardt loves you."
- c. Aboutaam sent all other employees home at 5:30 pm, the end of regular business hours.

- d. At about 6:30 pm the client, Michael Steinhardt ("Steinhardt"), arrived and immediately began commenting to Plaintiff "You are so sexy" and "You are so exotic looking" all in the presence of Aboutaam.
- e. Steinhardt then asked to see a particular piece of art which was on display in Aboutaam's back office.
- f. Aboutaam asked Plaintiff to show Steinhardt the art piece in the back, so Plaintiff and Steinhardt walked to the back office while Aboutaam followed.
- g. Plaintiff and Steinhardt then sat down and Aboutaam asked if he should leave and Steinhardt said 'yes.'
- h. Aboutaam laughed, left the office, and closed the door leaving Plaintiff and Steinhardt alone in the back office.
- i. Steinhardt began making sexual remarks to the Plaintiff.
- j. Plaintiff responded that she felt uncomfortable and was going to leave.
- k. Plaintiff stood up to leave and Steinhardt put his hands on her lower back and leaned in to kiss her.
- l. Plaintiff pulled away and immediately ran out of the office.
- m. Again, Aboutaam did nothing and encouraged the situation by closing the office door and leaving Plaintiff alone with Steinhardt whom he knew had a sexual interest in Plaintiff and also whom Plaintiff had already complained to Aboutaam about.

31. On June 20, 2011, at approximately 1:12 pm, Aboutaam yelled at Plaintiff and after noticing tears in her eyes, hugged Plaintiff, apologizing and stated "You are too beautiful and sexy to cry Karina [Karen]."

32. On November 9, 2011, at approximately 12:45 pm, in Aboutaam's presence, Steinhardt asked Plaintiff sexual questions and made sexual remarks.

33. The client asked Plaintiff: "Do you like having sex with Alex [Gherardi]? Do you have sex? How is your sex life? You are very beautiful and must have sex a lot. I'm just having a little fun."

34. Plaintiff responded with "Excuse me? Don't you think that you are out of line Mr. Steinhardt?" and "You are being so unprofessional and I don't find it funny, excuse me."

35. Aboutaam never told Steinhardt not to make such comments. To the contrary, Aboutaam laughed alongside Alex Gherardi and Steinhardt.

36. Plaintiff felt sick and left the gallery.

37. On November 10, 2011, Plaintiff complained to Aboutaam "I cannot deal with this client anymore. He is disrespectful and you can't just let clients treat me like that. He is a perverted pig and why were you laughing? I didn't think it was funny."

38. Instead of offering to stop the clients, Aboutaam responded by stating that "I know Michael Steinhardt for years. He is harmless. He just likes beautiful women and you are beautiful. He's in the process of purchasing some pieces and I will not risk the sale because you are offended by some childish words. Try to find a solution."

39. On November 14, 2011, at approximately 1:43 pm, Aboutaam asked Plaintiff, "Would you ever marry me if I left my wife?" and "Would you at least screw me?"

40. Plaintiff responded with "Hicham, please stop, I'm a married woman and your questions are weird[ing] me out." and "No Hicham, I'm married and your behavior right now is not cool at all. You are being disgusting and you are out of line, so please stop."

41. Plaintiff then left the room.

42. That same day, at approximately 1:52 pm, Aboutaam said to Plaintiff, "You can walk over here, I want to see your derriere."

43. The next day, at approximately 10:08 am, Aboutaam said to Plaintiff, "Your derriere looks great today." and "Yes, derriere, your ass Karen, would you rather I use that term?" and "You have a nice ass so of course I'm going to comment."

44. Plaintiff responded with "My derriere? Are you serious with this comment?" and "Hicham, I know what the word derriere means, I'm not an idiot, I'm just tired of your commenting on my ass when I already told you to stop doing it." and "Hicham, you are disgusting and your comments about my ass are perverted so seriously you need to stop."

45. On November 22, 2011, at approximately 2:15 pm, Aboutaam called Plaintiff to his office to talk about Michael Steinhardt. The conversation went as follows:

- a. Aboutaam: "I was thinking about what you said and we have to find a way to speak to Michael Steinhardt the way he wants to be spoken too."
- b. Plaintiff: "Excuse me? What does that mean? I already know where you are going with this. You basically want me to entertain him and let him act like a disrespectful pig to me right?"
- c. Aboutaam: "He is very important and we must do whatever it takes to keep him happy."

- d. Plaintiff: "With all due respect boss, I will not allow him to speak to me as if I'm some kind of piece of meat. He always calls here and harasses me over the phone not just when he comes here and you know that, enough is enough Hicham. You asked me to find a solution so here it is, the next time Michael Steinhardt comes to the gallery I will immediately leave. I don't understand why you can't put him in his place and tell him that he can't come into your gallery and disrespect your employees."
- e. Aboutaam: "You are a big girl Karen and I cannot control what Michael says or does, I'm not a babysitter."
- f. Plaintiff: "Hicham, you are the boss, I'm your employee and this is your gallery so what the hell are you talking about."
- g. Aboutaam: "This conversation is over."

46. On June 11, 2012, at approximately 4:36pm, Aboutaam forcibly grabbed Plaintiff's buttock while she was standing near his desk.

47. Immediately the conversation below followed the sexual touching:

- a. Plaintiff: "Oh My God Hicham!"
- b. Aboutaam: "I always wanted to touch your ass and after doing it I like the way it feels. It's very tight. It felt good to grab it."
- c. Plaintiff: "Hicham I can't believe you just did that, are you insane? Don't ever touch me like that again. In fact, I would appreciate it if you never touch me at all. I'm not okay with what you just did and I feel disgusted and uncomfortable, excuse me."
- d. Aboutaam: "Look at you, you are turning red. You are blushing."

- e. Plaintiff: "Hicham I'm not blushing, the red color on my face is 'oh my god you just literally grabbed my ass and I'm in a fucking state of shock.' You can't just grab peoples' asses Hicham, especially people like me who do not fucking welcome it. Don't ever grab my fucking ass again ever."
- f. Plaintiff felt sick and immediately walked out of the back office.

48. The next day, Aboutaam apologized to Plaintiff for his actions.

49. Plaintiff responded with "You disrespected me. You made feel really really uncomfortable and your behavior is not okay in my book. I'm your assistant. I'm not a hooker and you can't just touch me like that. You better not do it again. It's disgusting."

50. Aboutaam, while laughing, responded with "I apologized for what I did and you either accept it or you don't. Karen you don't really have an option. Are you going to threaten to sue me like Emily?"

51. Again Plaintiff removed herself from the situation by leaving the room.

52. On October 23, 2012, Aboutaam asked Plaintiff for help with an email and she asked him to wait to which he responded, "You turn me on when you are very busy. It's very sexy."

53. On November 12, 2012, at approximately 11:33 am, while in Aboutaam's office a conversation between Aboutaam and Plaintiff went as follows:

- a. Aboutaam: "Nice ass. Tell me, do you love me? Do you miss me when I'm not in the office?"
- b. Plaintiff: "Hicham, I give up with you, you just don't get it! I don't like the comments you throw my way and I sure as hell don't welcome them

but it seems as you really could give a shit on what I think and you continue to make them.”

- c. Aboutaam: “Come on Karina [Karen], you and I have a good relationship. It’s not a big deal you know? By the way is that a new shirt? Did your boobs get bigger?”
- d. Plaintiff: “What am I going to do with you Hicham? When will you get the point that you’re being disrespectful and annoying with all these dumb ass questions and remarks?”
- e. Hicham: (laughs) “You know you like it. You are a very sexy girl and I’m simply asking you a question.”
- f. Karen: (while leaving the office) “Let me know when you are ready to work I will come back into the office.”

54. On November 27, 2012, at approximately 12:16 pm, a conversation between Aboutaam and Plaintiff went as follows:

- a. Aboutaam: “I always wanted to know how much you weigh. You are very petite, can I lift you up?”
- b. Plaintiff: “No you can’t. Hicham what do you want from me? Seriously stop with these comments and questions.”
- c. Aboutaam: “I want you, but I know I can’t have you because you are married.”
- d. Plaintiff: “Listen Aboutaam, I get the fact that you think I’m a pretty girl but you go above and beyond to make me feel uncomfortable on a daily basis and I’m getting pissed off.”

- e. Aboutaam: "You know I'm an easy-going boss, I'm not strict at all like most employers out there so I don't think it's a big deal when I ask you a question or give you a compliment."
- f. Plaintiff: "It is a big deal Hicham."

55. On December 3, 2012, at approximately 4:43 pm, a conversation between Aboutaam and Plaintiff went as follows:

- a. Plaintiff: "Hicham you are still writing that email? You are so slow."
- b. Aboutaam: "There are a lot of things that I like to take my time with. I would like to show you but you seem to refuse me."
- c. Plaintiff: "Here we go again, let's change the subject. Did you get the piece out of the safe?"
- d. Aboutaam: "I want to lock you in the safe and show you some stuff."
- e. Plaintiff: (while leaving the room) "Ewww."

56. On December 6, 2012, Steinhardt called the gallery and asked to speak with Aboutaam who was not in the office at that time.

- a. Steinhardt: "Is that my sexy Israeli on the phone?"
- b. Plaintiff: "It's me Karen, the Israeli, not the sexy Israeli, please have some respect Michael."
- c. Steinhardt: "How is your sex life? Is your husband keeping you happy in bed? Would you have sex with me?"
- d. Plaintiff: (as she hung up the phone) "I will tell Hicham to call you."

57. On December 7, 2012, at approximately 4:53 pm, Aboutaam said to Plaintiff "Can you please file the Sotheby's and Christie's catalogs? I didn't put them back on purpose so that I can look at your ass when you are up on the step stool."

58. Plaintiff responded with "Hicham seriously? I get it you are obsessed with my ass, you made that very clear to me, but stop with these comment already. God help me."

59. On December 11, 2012, at approximately 2:54 pm, a conversation between Aboutaam and Plaintiff went as follows:

- a. Plaintiff: "How was your lunch with Sam Merrin?"
- b. Aboutaam: "It was good. He mentioned you and said that 'you looked like a strong girl.'"
- c. Plaintiff: "Hmm ok?"
- d. Aboutaam: "Of course he is going to make a comment about you. You are a very sexy girl with a nice ass. Too bad you can't screw me and I can't screw you."
- e. Plaintiff: "Hicham I'm dead serious, your comments are ridiculous and disgusting so I would appreciate it if you stop."
- f. Aboutaam: "You know you have very sexy arms, do you work out?"

60. Again Plaintiff, sick to her stomach, had to remove herself from the situation by leaving the room.

61. On December 13, 2012, at approximately 1:12 pm, a forcible sexual contact as well conversation between Aboutaam and Plaintiff went as follows:

- a. Aboutaam: "Can I give you a birthday hug?"

- b. Without waiting for answer, Aboutaam picked up Plaintiff and slapped her buttocks while she was in his arms hanging midair.
- c. Plaintiff yelled: "Hicham put me down! Once again I see that you have lost your fucking mind!"
- d. Aboutaam: "God you are so light. Do you eat? You have the weight of Soli" (Hicham's eldest son.)
- e. Plaintiff: "I give up with you Hicham. You are a crazy and disrespectful man."
- f. Aboutaam: "You are just so sexy that I can't even work."

62. After this Plaintiff could no longer handle the sexual harassment and began having serious stomach issues in the gallery.

63. On December 18, 2012 Plaintiff came to the gallery in the morning and got sick, throwing up in the restroom as a result of how upset she was at Aboutaam's conduct.

64. Plaintiff left the gallery to go home for the day and received a voicemail from Aboutaam in regards to her leaving work sick stating "This is not a kindergarten".

65. Plaintiff then sent Aboutaam a text message that read, "What kind of message did you leave me?! "This is not a kidergar[t]den"?! I don't know what you mean by that. I'm not feeling well and threw up in the gallery this morning. I will call you later..."

66. Aboutaam responded with a text message that read "I want you not to come to work till February 1, 2013. You will be paid regularly. This is not open for any discussion with me or anyone else in the business."

67. Plaintiff sent Aboutaam an email on January 7, 2013 that read “Hi Hicham, I’d like to know the reason on why you asked me not to come to work until Feb 1<sup>st</sup>. I have a right to know.”

68. Aboutaam responded that day with an email that read “Hi Karen, I wanted to be apart from you to evaluate the need for your assistance in this company. Today is January 7<sup>th</sup>, I wish you would have waited until Feb. 1<sup>st</sup>. As I told you, this is not open for discussion and you are still getting paid regularly without working. Please respect my instructions.”

69. Plaintiff returned to work on February 1, 2013, but was terminated by Aboutaam.

70. Plaintiff was terminated for refusing Aboutaam’s and Steinhardt’s advances and for complaining to Aboutaam about the ongoing sexual harassment by Aboutaam and Steinhardt.

**First Cause of Action**  
**Executive Law – Discrimination**  
**(Against All Defendants)**

71. Plaintiff repeats and realleges paragraphs 1 through 70 of this Complaint as if set forth herein.

72. By the acts and practices described above, Defendants discriminated against Plaintiff on the basis of her gender in violation of the Executive Law by creating and maintaining a hostile work environment.

73. Defendants engaged in quid-pro-quo sexual harassment by terminating her for refusing Aboutaam’s and Steinhardt’s sexual advances.

74. Defendants acted willfully, intentionally, and with malice and/or reckless indifference to Plaintiff’s statutorily protected rights.

75. Defendant Aboutaam is liable under the Executive Law as Plaintiff's employer, as an individual who participated in the discrimination, and as an aider and abettor of the discrimination against Plaintiff.

76. Defendant Petrarch is liable for the discrimination as Plaintiff's employer.

**Second Cause of Action**  
**City Law – Discrimination**  
**(Against All Defendants)**

77. Plaintiff repeats and realleges paragraphs 1 through 76 of this Complaint as if set forth herein.

78. By the acts and practices described above, Defendants discriminated against Plaintiff on the basis of her gender in violation of the City Law by creating and maintaining a hostile work environment.

79. Defendants engaged in quid-pro-quo sexual harassment by terminating her for refusing Aboutaam's and Steinhardt's sexual advances.

80. Defendants acted willfully, intentionally, and with malice and/or reckless indifference to Plaintiff's statutorily protected rights.

81. Defendant Aboutaam is liable under City Law as Plaintiff's employer, as an individual who participated in the discrimination, and as an aider and abettor of the discrimination against Plaintiff.

82. Defendant Petrarch is liable for the discrimination as Plaintiff's employer.

**Third Cause of Action**  
**Executive Law – Retaliation**  
**(Against All Defendants)**

83. Plaintiff repeats and realleges paragraphs 1 through 82 of this Complaint as if set forth herein.

84. By the acts and practices described above, Defendants retaliated against Plaintiff in violation of the Executive Law by taking an adverse employment action after Plaintiff engaged in a protected activity.

85. Defendants acted willfully, intentionally, and with malice and/or reckless indifference to Plaintiff's statutorily protected rights.

86. Defendants retaliated by terminating Plaintiff for complaining about the harassment she suffered at the hands of Aboutaam and Steinhardt.

87. Defendant Aboutaam is liable under the Executive Law as Plaintiff's employer, as an individual who participated in the retaliation, and as an aider and abettor of the retaliation against Plaintiff.

88. Defendant Petrarch is liable for the retaliation as Plaintiff's employer.

**Fourth Cause of Action**  
**City Law-Retaliation**  
**(Against All Defendants)**

89. Plaintiff repeats and realleges paragraphs 1 through 88 of this Complaint as if set forth herein.

90. By the acts and practices described above, Defendants retaliated against Plaintiff in violation of the City Law by taking an adverse employment action after Plaintiff engaged in a protected activity.

91. Defendants retaliated by terminating Plaintiff for complaining about the harassment she suffered at the hands of Aboutaam and Steinhardt.

92. Defendants acted willfully, intentionally, and with malice and/or reckless indifference to Plaintiff's statutorily protected rights.

93. Defendant Aboutaam is liable under City Law as Plaintiff's employer, as an individual who participated in the retaliation, and as an aider and abettor of the retaliation against Plaintiff.

94. Defendant Petrarch is liable for the retaliation as Plaintiff's employer.

**Fifth Cause of Action**  
**Civil Battery**  
**(Against Defendant Aboutaam)**

95. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 94 above as though fully set forth herein.

96. Aboutaam intentionally engaged in offensive, harmful and wrongful bodily contact of Plaintiff without Plaintiff's consent on several occasions, in a continual course of conduct, starting on or about August 2009 and continuing through the end of her employment in the gallery on or about December 2012 when Aboutaam picked up Plaintiff and slapped her buttocks while she was in his arms hanging midair.

97. As set forth above, without Plaintiff's consent, Aboutaam repeatedly grabbed and slapped Plaintiff's buttocks, placed his hands on her waist and lower back, and would pick her up and hold her up midair.

98. As a direct and proximate result of the aforementioned batteries, Plaintiff has sustained in the past, and will sustain in the future, physical injury, pain and suffering, serious psychological and emotional distress, mental anguish, embarrassment and humiliation.

99. Indeed, as a direct and proximate result of Aboutaam's offensive and wrongful physical contact of Plaintiff, without her consent, Plaintiff has suffered severe emotional and physical injuries and has been damaged in an amount to be determined at trial, an amount of damages which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.

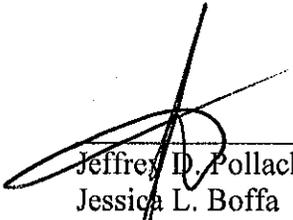
**Prayer for Relief**

WHEREFORE, Plaintiff respectfully requests that this Court enter a judgment:

- A. Directing the Defendants to take such affirmative action as is necessary to ensure that the effects of these unlawful employment practices are eliminated;
- B. Directing the Defendants to pay Plaintiff back pay, front pay, lost benefits, compensatory damages and damages for her mental anguish, humiliation, and physical pain and suffering;
- C. Directing the Defendants to pay Plaintiff punitive and/or liquidated damages, civil battery, and for their intentional disregard of, and/or reckless indifference to, Plaintiff's rights;
- D. Awarding Plaintiff the costs of this action together with reasonable attorneys' fees, as well as interest; and
- E. Awarding such other and further relief as this Court deems necessary and proper.
- F. Plaintiff demands a trial by jury.

Dated: New York, New York  
September 27, 2013

MINTZ & GOLD LLP



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