

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

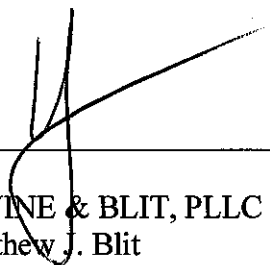
_____	)	
ELTON KENT,	)	Index No.
	)	
Plaintiff,	)	
	)	
-against-	)	SUMMONS
	)	
ACCENTURE PLC and	)	
ACCENTURE CONSULTING SERVICES LLC,	)	
	)	
Defendants.	)	
_____	)	

To the above-named Defendants:

YOU ARE HEREBY SUMMONED to answer the Complaint in this action and to serve a copy of your Answer on the plaintiff's attorneys within 20 days after the service of this Summons, exclusive of the days of service of this Summons, or within 30 days after service of this Summons is complete if this Summons is not personally delivered to you within the State of New York.

In case of your failure to answer this Summons, a judgment by default will be taken against you for the relief demanded in the Complaint, together with the costs of this action.

Dated: November 4, 2015  
New York, NY

  
\_\_\_\_\_  
LEVINE & BLIT, PLLC  
Matthew J. Blit  
Justin S. Clark  
Attorneys for Plaintiff  
350 Fifth Avenue – Suite 3601  
New York, NY 10118  
Tel. (212) 967-3000

To: Accenture PLC  
161 North Clark Street  
Chicago, IL 60601

Accenture Consulting Services LLC  
1345 Avenue of the Americas  
New York, NY 10105

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

_____ )	
ELTON KENT, )	Index No.
)	
Plaintiff, )	
)	
-against- )	COMPLAINT
)	
ACCENTURE PLC and )	
ACCENTURE CONSULTING SERVICES LLC, )	
)	
Defendants. )	
_____ )	

Plaintiff, ELTON KENT (“Mr. Kent” or “Plaintiff”), by and through his attorneys, LEVINE & BLIT, PLLC, complaining of defendants ACCENTURE PLC and ACCENTURE CONSULTING SERVICES LLC (hereinafter, collectively referred to as “Accenture”), hereby alleges:

**PRELIMINARY STATEMENT**

1. Plaintiff brings this civil action to remedy unlawful discrimination based upon national origin in violation of the New York State Human Rights Law (“NYSHRL”); and unlawful discrimination based upon national origin and alienage in violation of the New York City Human Rights Law (“NYCHRL”).
2. Plaintiff seeks the following redress: declaratory and injunctive relief; recovery of past economic losses caused by Defendant’s unlawful acts; an award of Plaintiff’s reasonable attorney’s fees; an award of costs of this action; and any such other and further relief deemed just and equitable by this Court.

**JURISDICTION AND VENUE**

3. This Court has jurisdiction over this matter pursuant to CPLR § 301.

4. Venue is proper in this Court pursuant to CPLR § 503.

### **THE PARTIES**

5. Mr. Kent is a thirty (30) year-old man who originates from India, is eligible to work and reside in the United States pursuant to a work visa, and is a resident of the State of New Jersey.
6. Accenture PLC is a publicly-traded company listed on the New York Stock Exchange, with its headquarters located at 161 North Clark Street, Chicago, Illinois.
7. Accenture Consulting Services LLC is a domestic limited liability company duly organized and existing in the State of New York.
8. At all times relevant to this action, Mr. Kent was an “employee” of Accenture within the meaning of the NYSHRL and NYCHRL.
9. At all times relevant to this action, Accenture was an “employer” within the meaning of the NYSHRL and NYCHRL.
10. At all times relevant to this action, Mr. Kent’s principal place of employment was located at 1345 6th Avenue, New York, New York.
11. At all times relevant to this action, Mr. Kent was qualified to hold his position of employment with Accenture through his knowledge, education, training, experience, and/or qualifications.

### **CLASS ALLEGATIONS**

12. The anticipated Class, which, upon information and belief, is comprised of hundreds of Software Engineers or Senior Software Engineers, who originate from foreign countries, who are or were employed by Accenture in the State of

New York during the applicable statutory period, is so numerous that joinder of all members, whether otherwise required or permitted, is impracticable.

13. There are questions of law or fact common to the anticipated Class, including, but not limited to, whether Accenture applied discriminatory policies or discriminated in pay against foreign Software Engineers or Senior Software Engineers working in the United States and/or who were working in the United States pursuant to a work visa, which predominate over any questions affecting only individual members.
14. The claims of Mr. Kent are typical of the claims of the anticipated Class.
15. Mr. Kent and Levine & Blit, PLLC will fairly and adequately protect the interests of the anticipated Class, as neither has any known conflict of interest.
16. A Class Action is superior to other available methods for the fair and efficient adjudication of the controversy.

#### **FACTUAL ALLEGATIONS**

17. Mr. Kent began working for Accenture at its New York City location in September 2012 after he was transferred from India.
18. Mr. Kent is a citizen of India and was working for Accenture in the United States pursuant to a work visa.
19. At all times relevant to this action, Mr. Kent held the title of Senior Software Engineer.
20. Mr. Kent resigned from his position of employment with Accenture on October 1, 2015.

21. During his employment with Accenture in New York City, Mr. Kent became aware that his salary was significantly less than the salaries of other Senior Software Engineers employed by Accenture who did not originate from India or other foreign countries and were Americans.
22. Mr. Kent also became aware that Accenture provided better employment benefits to its Senior Software Engineers who did not originate from India or other foreign countries and were Americans; including, but not limited to, paid paternity leave for men and greater allowances when being transferred between work locations.
23. Despite requesting paternity leave on two occasions, Accenture denied Mr. Kent paid paternity leave; a benefit that was provided to his American co-workers.
24. Mr. Kent complained to his supervisors and human resources about the discriminatory treatment in compensation and benefits he experienced; however, Accenture refused to change its practices and policies.
25. As a result of Accenture's discriminatory practices and policies, Mr. Kent and members of the Class have suffered and continue to suffer lost income and other benefits of employment.

**FIRST CAUSE OF ACTION**

**(Discrimination based upon National Origin in Violation of the NYSHRL)**

26. Plaintiff hereby repeats and realleges each allegation contained in paragraphs numbered 1 through 25, as if fully set forth herein.
27. Mr. Kent and the Class are members of the protected class because they originate from India.

28. Mr. Kent and the Class were qualified to hold their positions of employment with Accenture through their knowledge, education, training, experience, and/or qualifications.
29. Mr. Kent and the Class suffered adverse employment actions through Accenture practice and policy of compensating their American colleagues with a greater salary and other benefits of employment.
30. The adverse employment actions suffered by Mr. Kent and the Class arose under circumstances giving rise to the inference of national origin discrimination in that Accenture intentionally, through its own written policy, compensated Mr. Kent and the Class differently than their American colleagues.
31. As a result of Accenture's discriminatory practices and policies, Mr. Kent and members of the Class have suffered and continue to suffer lost income and other benefits of employment.

**SECOND CAUSE OF ACTION**

**(Discrimination based upon National Origin in Violation of the NYCHRL)**

32. Plaintiff hereby repeats and realleges each allegation contained in paragraphs numbered 1 through 31, as if fully set forth herein.
33. Mr. Kent and the Class are members of the protected class because they originate from India.
34. Mr. Kent and the Class were qualified to hold their positions of employment with Accenture through their knowledge, education, training, experience, and/or qualifications.

35. Mr. Kent and the Class suffered adverse employment actions through Accenture practice and policy of compensating their American colleagues with a greater salary and other benefits of employment.
36. The adverse employment actions suffered by Mr. Kent and the Class arose under circumstances giving rise to the inference of national origin discrimination in that Accenture intentionally, through its own written policy, compensated Mr. Kent and the Class differently than their American colleagues.

**THIRD CAUSE OF ACTION**  
**(Discrimination based upon Alienage in Violation of the NYCHRL)**

37. Plaintiff hereby repeats and realleges each allegation contained in paragraphs numbered 1 through 36, as if fully set forth herein.
38. Mr. Kent and the Class are members of the protected class because are and were employees working pursuant to a visa.
39. Mr. Kent and the Class were qualified to hold their positions of employment with Accenture through their knowledge, education, training, experience, and/or qualifications.
40. Mr. Kent and the Class suffered adverse employment actions through Accenture practice and policy of compensating their American colleagues with a greater salary and other benefits of employment.
41. The adverse employment actions suffered by Mr. Kent and the Class arose under circumstances giving rise to the inference of alienage discrimination in that Accenture intentionally, through its own written policy, compensated Mr. Kent and the Class differently than their American colleagues.



**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff respectfully requests that this Court enter a judgment against Defendant containing the following relief:

- (a) An Order declaring that Defendant has violated the anti-discrimination provisions of the NYSHRL, and the NYCHRL;
- (b) An Order enjoining the Defendant from engaging in the unlawful conduct alleged herein;
- (c) An Order awarding monetary damages for the past economic losses suffered by Plaintiff and the Class as a result of Defendant's unlawful conduct;
- (d) An Order awarding Plaintiff and the Class their reasonable attorney's fees;
- (e) An Order awarding Plaintiff and the Class their costs of this action; and
- (f) Any such other or further relief deemed just and equitable.

Dated: November 6, 2015  
New York, New York

LEVINE & BLIT, PLLC



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