

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ANDRE J. LAURANT

Plaintiff,

AMENDED COMPLAINT
AND JURY DEMAND

-against-

THE CITY OF NEW YORK, JOHN DOE'S 1-10, as Members,
Candidate Investigation Division, Fire Department City of
New York and JOHN DOE'S 11-20, as Members, Personnel
Review Board, Fire Department City of New York, each sued
individually and in their official capacities as employees' of
defendant THE CITY OF NEW YORK

Defendants'

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The plaintiff ANDRE J. LAURANT by his attorney The Sanders Firm, P.C., for his
amended federal complaint against defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10
and JOHN DOE'S 11-20, respectfully set forth and allege that:

INTRODUCTION

This is a federal action filed on behalf of the plaintiff ANDRE J. LAURANT, (hereinafter
referred to as "plaintiff") whose statutory rights as an applicant were violated due to defendants'
THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20'S discriminatory
conduct.

JURISDICTION AND VENUE

1. The jurisdiction of this Court is invoked pursuant to the Civil Rights Act of 1871, 42 U.S.C. § 1983; New York State Executive Law § 296, and New York City Administrative Law § 8-107.
2. The unlawful employment practices, violations of plaintiff's statutory rights as an

employee complained of herein were committed within Kings, New York and Richmond Counties.

PROCEDURAL REQUIREMENTS

3. Plaintiff filed this suit within the applicable statute of limitations period.

PLAINTIFF

4. Plaintiff ANDRE J. LAURANT is a citizen of the United States of America, over twenty-one (21) years of age, resident of Richmond County and former applicant for the position of Firefighter, Fire Department City of New York.

DEFENDANTS'

5. Defendant THE CITY OF NEW YORK is a municipal corporation formed under New York Law and at all relevant times was plaintiff's employer.

6. Defendants' JOHN DOE'S 1-10, as Members, Candidate Investigation Division, Fire Department City of New York.

7. Defendants' JOHN DOE'S 11-20, as Members, Personnel Review Board, Fire Department City of New York.

BACKGROUND

8. Plaintiff self identifies as an African-American male.

9. Plaintiff is a former applicant for the position of Firefighter, Fire Department City of New York.

10. Plaintiff alleges Firefighters are peace officers as defined under the New York State Criminal Procedure Law.

11. Plaintiff alleges the application and review process including evaluating an applicant's prior employment history, arrest and conviction records if used "objectively" is essential to determine suitability for appointment to the position of Firefighter, Fire Department

City of New York.

12. Plaintiff alleges Title VII of the Civil Rights Act of 1964 prohibits the application and review process including evaluating an applicant's prior employment history, arrest and conviction records designed to, or that has a tendency to, discriminate based upon race.

13. Plaintiff alleges the application and review process including evaluating an applicant's prior employment history, arrest and conviction records where the administration results in disparate treatment or disparate impact upon applicants or employees based upon race, violates Title VII of the Civil Rights Act of 1964.

14. Plaintiff alleges defendant THE CITY OF NEW YORK as an employer, have a legal obligation to ensure applicants are afforded a fair opportunity to qualify for employment.

15. Plaintiff alleges defendant THE CITY OF NEW YORK as an employer, knows or should have known the application and review process including evaluating an applicant's prior employment history, arrest and conviction records requiring analysis by employees are fraught with "subjectivity" and "implicit bias," creating the opportunity for disparate treatment or disparate impact upon applicants or employees due to their race.

16. Plaintiff alleges defendant THE CITY OF NEW YORK as an employer, upon information and belief, does not review the application and review process including evaluating an applicant's prior employment history, arrest and conviction records protocols to ensure they are statistically valid, reliable and devoid of racial bias.

17. Plaintiff alleges defendant THE CITY OF NEW YORK as an employer, upon information and belief, does not administer the application and review process including evaluating an applicant's prior employment history, arrest and conviction records in a standardized manner creating a fair opportunity to qualify for employment.

18. Plaintiff alleges defendant THE CITY OF NEW YORK as an employer, upon information and belief, does not monitor the application and review process including evaluating an applicant's prior employment history, arrest and conviction records results to ensure there is no disparate treatment or disparate impact upon applicants due to race.

19. Plaintiff alleges defendant THE CITY OF NEW YORK as an employer, upon information and belief, does not monitor workplace statistics on attrition, turnover, and production to determine whether the use of the application and review process including evaluating an applicant's prior employment history, arrest and conviction records have a disparate treatment or disparate impact upon applicants due to their race.

20. Plaintiff alleges in 1978, the United States Equal Employment Opportunity Commission ("EEOC") adopted the Uniform Guidelines on Employee Selection Procedures ("UGESP") under Title VII of the Civil Rights Act of 1964.

21. Plaintiff alleges the UGESB provides uniform guidance for employers to ensure their testing and selection procedures are in compliance with Title VII of the Civil Rights Act of 1964, theory of disparate impact.

22. Plaintiff alleges the UGESB outline three (3) different methods for employers to prove their testing and selection procedures are job-related and consistent with business necessity.

23. Plaintiff alleges these methods of proving job-relatedness are called "test" validation.

24. Plaintiff alleges defendant THE CITY OF NEW YORK as an employer, upon information and belief, is not in compliance with the UGESB.

25. Plaintiff alleges he was a candidate for the position of Firefighter, Fire

Department City of New York, Examination No.: 2000, List No.: 0262.

26. Plaintiff alleges Examination No.: 2000, was administered under the supervision of the United States District Court for the Eastern District of New York, pursuant to the litigation of the United States and Vulcan Society, et al. v. City of New York, 07 cv 2067, where it was alleged defendant THE CITY OF NEW YORK through its Candidate Investigation Division (CID) and Personnel Review Board (PRB) intentionally discriminated against African-American applicants during the application and review process for the position of Firefighter, Fire Department City of New York.

27. Plaintiff is a class participant in the aforementioned action and if he is appointed, entitled to receive retroactive employment pension and other benefits, etc.

28. Plaintiff alleges that since the aforementioned Court determination, defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 continue to discriminate against him as a class participant denying him a fair opportunity to qualify for the position of Firefighter, Fire Department City of New York and receive retroactive employment pension and other benefits, etc.

29. Plaintiff alleges that since the aforementioned Court determination, upon information and belief, defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 continue to discriminate against African-Americans during the application and review process for the position of Firefighter, Fire Department City of New York.

30. Plaintiff alleges on or about February 6, 2013, he completed a Comprehensive Personnel Document (CPD) and submitted it to defendants' THE CITY OF NEW YORK and JOHN DOE'S 1-10, for the application and review process. The application and review process consist of evaluating his prior employment history, arrest and conviction records to assess his

suitability for appointment to the position of Firefighter, Fire Department City of New York.

31. Plaintiff alleges during the alleged review of the CPD including evaluating his prior employment history, arrest and conviction records, defendants' THE CITY OF NEW YORK and JOHN DOE'S 1-10 "falsely" accused him of "making false statements and intentionally failing to disclose information" in violation of Civil Service Law §§ 50(a)(4), (f) and (g).

32. Plaintiff alleges defendants' THE CITY OF NEW YORK and JOHN DOE'S 1-10 "falsely" accused him of failing to disclose his arrest history and requested written statements to explain the alleged omissions.

33. Plaintiff alleges defendants' THE CITY OF NEW YORK and JOHN DOE'S 1-10 "falsely" accusing him of failing to disclose an arrest on or about April 22, 1995, for Criminal Mischief: Intent to Damage Property.

34. Plaintiff alleges on or about March 18, 2013, former Emergency Medical Technician Joseph Cassano (Caucasian Male) the son of former Fire Commissioner Salvatore Cassano resigned after evidence surfaced that he has an extensive history of posting racist, anti-Semitic comments on Twitter.

35. Plaintiff alleges former Fire Commissioner Salvatore Cassano claimed, he was extremely disappointed in the comments posted online by his son Joseph, which did not reflect the values including a respect for all people that are held by he, his family and the FDNY.

36. Plaintiff alleges former Fire Commissioner Salvatore Cassano further claimed, he has worked many years, as have so many people in the agency, to make the FDNY more diverse and inclusive. There is no place and he have no tolerance for statements that would harm the good reputation of the agency.

37. Plaintiff alleges on or about November 4, 2013, he provided a written statement to defendants' THE CITY OF NEW YORK and JOHN DOE'S 1-10, in essence describing while he shopped in a store, an acquaintance tossed a M80 firework inside and both arrested. The acquaintance pled guilty and the charge against him dismissed.

38. Plaintiff alleges the written statement strongly suggests the arrest was "false" and race may have been a factor.

39. Plaintiff alleges defendants' THE CITY OF NEW YORK and JOHN DOE'S 1-10 "falsely" accused him of failing to disclose an arrest on or about August 14, 1995, for Criminal Possession of Stolen Property in the Fifth Degree.

40. Plaintiff alleges on or about November 4, 2013, he provided a written statement to defendants' THE CITY OF NEW YORK and JOHN DOE'S 1-10, in essence describing while young and stupid, the police "falsely" arrested him for removing a bicycle from a person's front yard as a "prank." He returned the bicycle, the case dismissed.

41. Plaintiff alleges the written statement strongly suggests the arrest was "false" and race may have been a factor.

42. Plaintiff alleges on or about November 4, 2013, he provided defendants' THE CITY OF NEW YORK and JOHN DOE'S 1-10 with a letter from the Office of the Richmond County District Attorney, detailing the case dismissal and that he has no record resulting from this incident.

43. Plaintiff alleges on or about November 4, 2013, he provided a written statement to defendants' THE CITY OF NEW YORK and JOHN DOE'S 1-10 apologizing for the aforementioned omissions because he simply forgot about them.

44. Plaintiff alleges at the time defendants' THE CITY OF NEW YORK and JOHN

DOE'S 1-10, began reviewing the CPD, the aforementioned arrests were more than eighteen (18) years ago.

45. Plaintiff alleges defendants' THE CITY OF NEW YORK and JOHN DOE'S 1-10 failed to perform an independent "objective" analysis into the veracity of the circumstances surrounding the arrests, relative to his suitability for appointment to position of Firefighter, Fire Department City of New York.

46. Plaintiff alleges defendants' THE CITY OF NEW YORK and JOHN DOE'S 1-10 "falsely" accused him of misrepresenting his employment with North Shore LIJ - Staten Island University Hospital (SIUH) and failing disclose employment with Robert Wood Johnson Hospital (RWJH) and requested written statements to explain the alleged misrepresentations and omissions.

47. Plaintiff alleges on his CPD, he notes employment with SIUH as a Lead Anesthesia Technician, September 6, 2006 through March 24, 2011 and resigned for lack of career opportunities.

48. Plaintiff alleges defendants' THE CITY OF NEW YORK and JOHN DOE'S 1-10 claim while verifying employment, SIUH confirmed the last position he held was Monitoring Assistant.

49. Plaintiff alleges the Lead Anesthesia Technician and Monitoring Assistant is the same job. According to plaintiff, SIUH management used the Monitoring Assistant title to avoid compensating him with union scale salary and benefits.

50. Plaintiff alleges other than defendants' THE CITY OF NEW YORK and JOHN DOE'S 1-10 noting the difference in title, there is no "objective" evidence the duties, responsibilities, training, education and experiences are inconsistent with statements provided on

the CPD.

51. Plaintiff alleges on or about November 4, 2013, he provided a statement to defendants' THE CITY OF NEW YORK and JOHN DOE'S 1-10 strongly suggesting while employed with SIUH he encountered racial discrimination and resigned in lieu of termination.

52. Plaintiff alleges while employed with SIUH, his supervisor "falsely" accused him of misconduct and after filing a claim for unemployment benefits, challenged the claim.

53. Plaintiff alleges initially the New York State Department of Labor disqualified him from receiving unemployment benefits due to employee misconduct.

54. Plaintiff alleges on or about July 13, 2011, after a hearing on the merits determined he was not disqualified from receiving unemployment benefits.

55. Plaintiff alleges the New York State Department of Labor Decision and Notice of Decision strongly suggest race was a motivating factor in his separation from employment with SIUH.

56. Plaintiff alleges or about November 4, 2013, he provided a written statement to defendants' THE CITY OF NEW YORK and JOHN DOE'S 1-10 strongly suggesting while briefly employed with the Robert Wood Johnson University Hospital (RWJUH) he encountered racial discrimination and resigned because it was not a "good fit."

57. Plaintiff alleges other than defendants' THE CITY OF NEW YORK and JOHN DOE'S 1-10 noting the alleged omission, they failed to perform an independent "objective" analysis into the veracity of the circumstances surrounding the alleged omission, relative to his suitability for appointment to position of Firefighter, Fire Department City of New York.

58. Plaintiff alleges other than defendants' THE CITY OF NEW YORK and JOHN DOE'S 1-10 noting alleged omissions and/or differences on the CPD, they failed to perform an

independent "objective" analysis into the veracity of the circumstances surrounding these instances, relative to his suitability for appointment to position of Firefighter, Fire Department City of New York.

59. Plaintiff alleges defendants' THE CITY OF NEW YORK and JOHN DOE'S 1-10 intentionally used race as an impermissible factor in its determinations.

60. Plaintiff alleges defendants' THE CITY OF NEW YORK and JOHN DOE'S 1-10 referred the CPD to defendants' JOHN DOE'S 11-20, for review.

61. Plaintiff alleges the PRB consists of FDNY agency executives and high-ranking officers.

62. Plaintiff alleges on or about November 26, 2013, defendants' THE CITY OF NEW YORK and JOHN DOE'S 11-20, disqualified him based upon his arrest/criminal history, omission of material facts, and failure to disclosure material facts.

63. Plaintiff alleges other than defendants' THE CITY OF NEW YORK and JOHN DOE'S 11-20, noting reviewing his arrest/criminal history and alleged omission and failure to disclose material facts, the PRB failed to perform an independent "objective" analysis into the veracity of the circumstances surrounding the alleged omission, relative to his suitability for appointment to position of Firefighter, Fire Department City of New York.

64. Plaintiff alleges on or about January 17, 2014, defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 determined he was "Not Qualified" due to his Arrest/Criminal History.

65. Plaintiff alleges on or about January 21, 2014, he filed a Notice of Appeal with the defendant THE CITY OF NEW YORK through its New York City Civil Service Commission (CSC).

66. Plaintiff alleges on or about March 18, 2014, after seven (7) years of litigation, United States and Vulcan Society, et al. v. City of New York, 07 cv 2067, settled.

67. Plaintiff alleges the settlement, ordered broad injunctive relief which included the appointment of a federal monitor to oversee the recruiting and hiring process, etc.

68. Plaintiff alleges on or about September 15, 2014, defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 determined in an amended filing he was "Not Qualified" due to his Arrest/Criminal History.

69. Plaintiff alleges defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 also added: Omission of Arrest History, Omission of Employment History and Falsification of Employment History.

70. Plaintiff alleges on or about March 4, 2015, the New York City Civil Service Commission affirmed the Character Disqualification without determining whether defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 actions are consistent with the UGESP.

71. Plaintiff alleges the New York City Civil Service Commission re-affirmed defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20'S pretexts to discriminate against him during the application and review process for the position of Firefighter, Fire Department City of New York due to his race.

72. Plaintiff alleges on or about March 20, 2015, he received a verification of employment letter from SIUH.

73. Plaintiff alleges the letter mentions his employment from July 12, 1999 through March 24, 2011, as a Monitoring Assistant and resigning for another opportunity. There is no mention of alleged employee misconduct.

74. Plaintiff alleges on or about June 30, 2015, he filed an Article 78 appeal with the Supreme Court of the State of New York, County of the Bronx, Index No.: 260595-2015, seeking to annul the CID, PRB and New York City Civil Service Commissions determinations as "arbitrary and capricious."

75. Plaintiff alleges on or about October 6, 2015, he and defendant THE CITY OF NEW YORK agreed to transfer the pending Article 78 appeal to the Supreme Court of the State of New York, County of New York, Index No.: 450242/16.

76. Plaintiff alleges several months later, defendant THE CITY OF NEW YORK agreed to "re-evaluate" his qualification for appointment to the position of Firefighter, Fire Department City of New York due to other similar Article 78's filed against them. The parties agreed to discontinue the matter.

77. Plaintiff alleges on or about September 21, 2016, defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 "re-evaluated" his qualification for appointment to the position of Firefighter, Fire Department City of New York and simply reaffirmed their original determination.

78. Plaintiff alleges on or about April 26, 2017, he and defendant THE CITY OF NEW YORK agreed to discontinue the Article 78 Petition consistent with Paragraph No.: 75 through 77.

79. Plaintiff alleges approximately four years later on or about December 18, 2017, defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 appointed former Emergency Medical Technician Joseph Cassano (Caucasian Male) the son of former Fire Commissioner Salvatore Cassano to the position of Firefighter, Fire Department City of New York despite evidence of his extensive history of racist, anti-Semitic postings on Twitter.

80. Plaintiff alleges Mayor Bill de Blasio defended defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 appointing Joseph Cassano to the position of Firefighter, Fire Department City of New York claiming "he believes in redemption."

81. Plaintiff alleges Mayor Bill de Blasio claims "he'd hire someone with Cassano's history."

82. Plaintiff alleges Mayor Bill de Blasio claims "nobody's perfect."

83. Plaintiff alleges Mayor Bill de Blasio claims "if the ground rule was one mistake and you can no longer participate in public life, there would be essentially no one left in public life."

84. Plaintiff alleges that defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 appointment of Joseph Cassano to the position of Firefighter, Fire Department City of New York and Mayor Bill de Blasio's support is consistent with the sort of racial bias in the application and review process he complains about.

85. Plaintiff alleges despite his "mistakes" more than twenty years ago, unlike Joseph Cassano's "mistakes" only four years ago, defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 have failed, neglected and refused to mark him "Qualified" and appoint him to the position of Firefighter, Fire Department City of New York to which he is entitled due to his race.

86. Plaintiff alleges as Mayor Bill de Blasio indicated in the appointment of Joseph Cassano, there are no perfect candidates but despite the rulings in the United States and Vulcan Society, et al. v. City of New York, 07 cv 2067, defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 with the support of the Mayor continue to intentionally treat

candidates differently due to their race.

87. Plaintiff alleges defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 upon information and belief, have and continues to intentionally treat Caucasian applicants for the position of Firefighter, Fire Department City of New York with similar allegations of arrest/criminal history, omission of material facts, and failure to disclosure material facts more favorably and approve them for hire Joseph Cassano is one such example.

88. Plaintiff alleges defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 intentionally caused him to sustain injuries due to disparate treatment and disparate impact during the application and review process for the position of Firefighter, Fire Department City of New York, in violation of the Civil Rights Act of 1871, 42 U.S.C. § 1983; New York State Executive Law § 296 and New York City Administrative Code § 8-107.

VIOLATIONS AND CLAIMS ALLEGED

**COUNT I
RACE DISCRIMINATION
IN VIOLATION OF
THE CIVIL RIGHTS ACT OF 1871, 42 U.S.C. § 1983**

89. Plaintiff re-alleges Paragraphs 1 through 88 and incorporates them by reference as Paragraphs 1 through 88 of Count I of this Amended Complaint.

90. Plaintiff alleges that defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 under color of law personally interfered with and deprived him of his constitutional rights, including the rights to petition his government for redress of his grievances and to be free from deprivation of life, liberty, and property without due process of law.

91. Plaintiff alleges that defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20, acting individually and having been fully advised that he was being

deprived of his constitutional rights, either acted in a concerted, malicious intentional pattern to further discriminate against him, or knowing such discrimination was taking place, knowingly omitted to act to protect him from continuing deprivations of his rights.

92. Plaintiff alleges that defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 in acting to deprive him of his rights, acted intentionally, knowingly, willfully, and with gross disregard of his rights.

93. Plaintiff alleges that defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 acted in an outrageous and systematic pattern of discrimination, oppression, bad faith and cover-up, directed at him and similarly situated individuals.

94. Plaintiff alleges that the discriminatory acts of defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 caused him to suffer mental distress, loss of employment benefits and to sustain unnecessary related legal expenses.

**COUNT II
MONELL CLAIM
IN VIOLATION OF
THE CIVIL RIGHTS ACT OF 1871, 42 U.S.C. § 1983**

95. Plaintiff re-alleges Paragraphs 1 through 94 and incorporates them by reference as Paragraphs 1 through 94 of Count II of this Amended Complaint.

96. Plaintiff alleges defendant THE CITY OF NEW YORK through the CID and PRB caused him injuries.

97. Plaintiff alleges defendant THE CITY OF NEW YORK through the CID and PRB actions of implementing 'official and un-official' policies of supporting race discrimination, related to the application and review process under color of law.

98. Plaintiff alleges defendant THE CITY OF NEW YORK through the CID and PRB deprived him of his constitutional and statutory rights.

99. Plaintiff alleges defendant THE CITY OF NEW YORK through the CID and PRB actions caused him injuries.

100. Plaintiff alleges defendant THE CITY OF NEW YORK through the CID and PRB caused him to sustain damages.

**COUNT III
RACE DISCRIMINATION
IN VIOLATION OF
NEW YORK STATE EXECUTIVE LAW § 296**

101. Plaintiff re-alleges Paragraphs 1 through 100 and incorporates them by reference as Paragraphs 1 through 100 of Count III of this Amended Complaint.

102. Plaintiff alleges that New York State Executive Law § 296, makes it unlawful to discriminate against any individual in the terms, conditions, or privileges of employment because of their race.

103. Plaintiff alleges that defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 discriminated against him because of his race.

104. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices of defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20, he suffered the indignity of race discrimination and great humiliation.

105. Plaintiff alleges that defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20'S violations caused him to suffer mental distress, loss of employment benefits and to sustain unnecessary related legal expenses

**COUNT IV
RACE DISCRIMINATION
IN VIOLATION OF
NEW YORK CITY ADMINISTRATIVE CODE § 8-107**

106. Plaintiff re-alleges Paragraphs 1 through 105 and incorporates them by reference

as Paragraphs 1 through 105 of Count IV of this Amended Complaint.

107. Plaintiff alleges that New York City Administrative Code § 8-107, makes it unlawful to discriminate against any individual in the terms, conditions, or privileges of employment because of their race.

108. Plaintiff alleges that defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 discriminated against him because of his race.

109. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices of defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20 he suffered the indignity of race discrimination and great humiliation.

110. Plaintiff alleges that defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20'S violations caused him to suffer mental distress, loss of employment benefits and to sustain unnecessary related legal expenses.

JURY TRIAL

111. Plaintiff demands a trial by jury of all issues in this action that are so triable.

PRAYER FOR RELIEF

Wherefore, plaintiff demands compensatory and punitive damages from defendants' THE CITY OF NEW YORK; JOHN DOE'S 1-10 and JOHN DOE'S 11-20, in an amount to be determined at trial, plus available statutory remedies, both legal and equitable, interests and costs.

Dated: February 8, 2018
New York, N.Y.

Respectfully submitted,
By: 
Eric Sanders

Eric Sanders, Esq.
THE SANDERS FIRM, P.C.
30 Wall Street, 8th Floor
New York, NY 10005
(212) 652-2782 (Business Telephone)
(212) 652-2783 (Facsimile)

Website: <http://www.thesandersfirmpc.com>