

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

-----X
WILLIAM SEIDMAN and ANTHONY VIDOT

Date Filed:
Index No.:

SUMMONS

Plaintiff,

-against-

Plaintiff designates
New York County
as the place of trial
based on Defendant.
Principle
Place of Business

CITY OF NEW YORK, RAYMOND FESTINO, Individually
Individually, MICHAEL BALDASSANO, Individually, ERIC
ROBINSON, Individually, VINCENT DEYNES, Individually
and GASPAR SCIACCA, Individually

Defendants’.

-----X
TO THE ABOVE-NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your Answer, or if the complaint is not served with the summons, to serve a notice of appearance on Plaintiff’s attorney within twenty (20) days after service of this summons, exclusive of the day of service, (or within thirty (30) days after 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 answer, judgment will be taken against you by default for the relief demanded hereto.

Dated: New York, New York
January 27, 2025

/s/
John Scola
Law Office of John A. Scola, PLLC
Attorneys for Plaintiffs
90 Broad Street, Suite 1023
New York, New York 10004
(917) 423-1445

DEFENDANTS ADDRESS:
CITY OF NEW YORK
Corporation Counsel of the City
Of New York
100 Church Street
New York, NY 10007

RAYMOND FESTINO
One Police Plaza
New York, NY 10038

MICHAEL BALDASSANO,
DB Citywide Investigation
One Police Plaza
New York, NY 10038

ERIC ROBINSON
165 Cadman Plaza East,
Brooklyn, NY 11201

VINCENT DEYNES
One Police Plaza
New York, NY 10038

GASPAR SCIACCA
One Police Plaza
New York, NY 10038

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

-----X
WILLIAM SEIDMAN and ANTHONY VIDOT

Index No.

Plaintiff,

VERIFIED COMPLAINT

-against-

CITY OF NEW YORK, RAYMOND FESTINO, Individually
Individually, MICHAEL BALDASSANO, Individually, ERIC
ROBINSON, Individually, VINCENT DEYNES, Individually
and GASPAR SCIACCA, Individually

JURY DEMAND

Defendants.
-----X

The plaintiffs, WILLIAM SEIDMAN and ANTHONY VIDOT, by his attorneys, the LAW OFFICE OF JOHN A. SCOLA, PLLC, as and for his verified amended complaint against Defendants’ THE CITY OF NEW YORK, RAYMOND FESTINO, Individually, MICHAEL BALDASSANO, Individually, ERIC ROBINSON, Individually, VINCENT DEYNES, Individually and GASPAR SCIACCA, Individually for religious discrimination, religion association discrimination, and retaliation as complained of herein. Plaintiffs were also retaliated against for their participation in the New York City Department of Investigation’s investigation into Edward Caban and Timothy Pearson.

INTRODUCTION

This is a civil rights action on behalf of the plaintiff WILLIAM SEIDMAN and ANTHONY VIDOT (hereinafter referred to as “Plaintiff Seidman” or “Plaintiff Vidot,” respectively and collectively as ”Plaintiffs”) vindicate their rights related to the denial of employment benefits with the New York City Police Department (hereinafter referred to as “NYPD” by Defendants CITY OF NEW YORK (hereinafter referred to as “CITY”), RAYMOND FESTINO, Individually, (hereinafter referred to as “FESTINO”), MICHAEL

BALDASSANO, Individually, (hereinafter referred to as “BALDASSANO”), ERIC ROBINSON, Individually, (hereinafter referred to as “ROBINSON”), VINCENT DEYNES, Individually (hereinafter referred to as “DEYNES”), and GASPAR SCIACCA, Individually, (hereinafter referred to as “SCIACCA”), as a result of their unlawful conduct. More specifically, plaintiff seeks damages related to the deprivation of his rights secured by New York State Executive § 296, and New York City Local Law §8-101 et al. Plaintiffs were denied employment benefits on the basis of their religion, religious association and in retaliation for his complaints of discrimination.

At all times herein, Plaintiff was a member of a protected class who performed his job duties in a satisfactory manner. Plaintiff was subjected to adverse actions as a result of and in retaliation for his membership in that protected classes as described below.

PROCEDURAL REQUIREMENTS

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

PLAINTIFF

2. Plaintiff WILLIAM SIEDMAN is a white male citizen of the United States of America, over twenty-one (21) years of age, who is a Detective currently employed by the New York City Police Department.
3. Plaintiff ANTHONY VIDOT is a Hispanic male citizen of the United States of America, over twenty-one (21) years of age, who is a Detective formerly employed by the New York City Police Department.

DEFENDANTS'

4. Defendant THE CITY OF NEW YORK is a municipal corporation organized and existing under and by virtue of the law of the State of New York.

5. Defendant, Deputy Inspector RAYMOND FESTINO, is a former Deputy Inspector in the New York City Police Department and was employed by the Defendant CITY OF NEW YORK. Defendant FESTINO is four (4) ranks higher than Plaintiffs.
6. Defendant, Assistant Chief MICHAEL BALDASSANO, is a current NYPD Assistant Chief in the New York City Police Department and was employed by the Defendant CITY OF NEW YORK. Defendant BALDASSANO is more than five (5) ranks higher than Plaintiffs.
7. Defendant, ERIC ROBINSON is a current Inspector in the New York City Police Department and was employed by the Defendant CITY OF NEW YORK. Defendant ROBINSON is four (4) ranks higher than Plaintiff.
8. Defendant, VINCENT DEYNES is a former Sergeant in the New York City Police Department and was employed by the Defendant CITY OF NEW YORK. Defendant DEYNES is one (1) rank higher than Plaintiff.
9. Defendant, GASPAR SCIACCA is a current Sergeant in the New York City Police Department and was employed by the Defendant CITY OF NEW YORK. Defendant SCIACCA is one (1) rank higher than Plaintiff.
10. Defendant CITY, and their agency the DOI, are equal opportunity employers which prohibit discriminatory employment actions against, and treatment of, their employees and applicants for employment based on actual or perceived race, color, national origin, alienage or citizenship status, religion or creed, gender (including “gender identity” -- which refers to a person’s actual or perceived sex, and includes self-image, appearance, behavior or expression, whether or not different from that traditionally associated with the legal sex assigned to the person at birth), disability, age (18 and over), military status,

prior record of arrest or conviction, marital status, partnership status, genetic information or predisposing genetic characteristic, sexual orientation, status as a victim or witness of domestic violence, sex offenses or stalking, and unemployment status.

FACTUAL ALLEGATIONS

11. Plaintiff Vidot joined the NYPD as a police officer on July 1, 2002.
12. At all times herein, Plaintiff Vidot excelled in his positions with the Police Department.
13. In 2003, Plaintiff Vidot was shot in the line of duty.
14. Thereafter he was promoted to Detective in 2006.
15. Plaintiff Vidot worked for several specialized units throughout his career which is reflective of his stellar work performance.
16. Plaintiff Vidot worked in the Firearm Investigation Unit, Firearm and Trigger Lock, and Organized Crime Control Bureau.
17. In May 2016 Plaintiff Vidot was promoted to Detective 2nd Grade.
18. In 2017 Plaintiff Vidot began to work as an NYPD liaison to the New York City Department of Investigation (“DOI”).
19. Plaintiff Seidman joined the NYPD in January 2008 as a police officer.
20. At all times herein, Plaintiff Seidman excelled in his positions with the Police Department.
21. Plaintiff Seidman worked in several specialized units as well before being promoted to Detective in 2017.
22. After being promoted to detective, Plaintiff Seidman was repeatedly recommended for promotion to Detective 2nd Grade.
23. In 2020 Plaintiff Seidman began to work as an NYPD liaison to the New York City DOI.
24. Plaintiffs Vidot and Seidman became partners in DOI.

25. Plaintiffs worked in DOI until they were unlawfully forced out of the agency in July 2023.
26. Plaintiffs Vidot and Seidman worked as investigators in DOI.
27. As NYPD officers assigned to DOI, Plaintiffs would be given investigation assignments as they came in without knowledge of the larger investigation which they are working on.
28. Plaintiffs are emailed their assignments as they are needed.
29. DOI will rely on the NYPD investigators expertise when determining whether or not the circumstances they are investigating is a crime or a case.
30. Plaintiffs worked closely with DOI employee Audrey Feldman.
31. The Commanding Officer of Plaintiffs' unit is Defendant FESTINO.
32. In February 2020, NYPD and DOI Detective Lori Aanonsen is caught driving while intoxicated.
33. Aanonsen was caught sleeping behind the wheel of her vehicle.
34. Defendant FESTINO, who is rumored to be having an affair with Aanonsen, responds to the scene of the arrest.
35. On or about August 2020, a complaint came in related to straw donors and the police department.
36. Plaintiff Vidot first had an issues in 2020.
37. On multiple occasions, Plaintiff Vidot applied and then drove the Commissioner of DOI for a tour.
38. Defendant FESTINO, after learning that Plaintiff Vidot was driving the Commissioner, had him removed from the position and replaced with white men.
39. Plaintiff Seidman arrives to DOI after this incident in October 2020.

40. On Plaintiff Seidman's first day he arrives with coffee and donuts for the team he was joining.
41. Plaintiff Seidman is partnered with Plaintiff Vidot.
42. At all times herein, each Plaintiff excelled in their positions with the Defendant CITY.
43. Plaintiff Vidot witnessed Sergeant Florin Duta talking to the Detectives in DOI about Detective Seidman coming to the unit.
44. Sergeant Duta tells the Detectives that "Plaintiff Seidman is a fucking rat and a piece of shit."
45. Plaintiff Vidot confronts Sergeant Duta discreetly about his defamatory statements towards Plaintiff Seidman outside his presence.
46. From this point forward, Plaintiffs Vidot is targeted in the same manner as Plaintiff Seidman based on his association.
47. Around this time Plaintiff Seidman comes into the office and catches Defendant FESTINO placing a rubber rat doll on his desk.
48. Defendant FESTINO is shocked to see Plaintiff Seidman who caught him in the act.
49. No other officers were treated in this manner.
50. In December 2020, Detective Joe Perra asked Plaintiff Seidman to give him a hand setting up the Christmas decorations.
51. Plaintiff Seidman is Jewish but happily helped set up the decorations.
52. Plaintiff Seidman was told to assist with setting up the Christmas tree.
53. As Plaintiff Seidman was setting up the Christmas tree, Defendant FESTINO entered the office and said, "look at the Jew doing the Christmas tree."
54. Plaintiff Seidman is surprised by the comment which he found offensive.

55. Plaintiff Seidman went home following the comment.
56. Plaintiff Seidman wondered what was wrong with Defendant FESTINO.
57. From this point forward, Plaintiff Seidman is regularly forced to endure comments about his religion and generally about women.
58. The comments are severe and pervasive and cause the Plaintiffs to work in a hostile work environment.
59. Plaintiff Vidot is further harassed over his association with Plaintiff Seidman.
60. At all times herein, Plaintiffs Seidman and Vidot were treated less well due to Plaintiff Seidman's religion and based on Plaintiff Vidot's association with Plaintiff Seidman.
61. At all times herein the comments created a hostile work environment for the Plaintiffs.
62. Defendant FESTINO would regularly make inappropriate comments about women in the workplace.
63. Defendant FESTINO would regularly make comments about women wearing yoga pants and makes comments about sleeping with.
64. The comments persisted for multiple years.
65. As a result of the constant comments about gender and religion, both Plaintiffs Seidman and Vidot were forced to work in a hostile work environment.
66. Plaintiffs Vidot and Seidman were targeted by Defendant FESTINO due to Plaintiff Seidman's religion and Plaintiff Vidot's association with him.
67. The other members of the team began to distance themselves from the Plaintiffs.
68. In 2021, an anonymous complaint came in to DOI alleging illegal conduct against the former Police Commissioner Edward Caban's brother.

69. Around this time a complaint came into DOI alleging that Senior Advisor to new York City Mayor Eric Adams, Timothy Pearson, related to an incident that occurred at a migrant shelter.
70. Thereafter, additional allegations of bribery schemes and pay offs were made against Caban's brother and Pearson.
71. At this point DOI begins to investigate Caban's brother and Pearson.
72. DOI is organized in such a way that Plaintiffs are tasked with simple assignments but not privy to information surrounding the larger investigation.
73. Plaintiffs were regularly tasked with investigating anonymous people.
74. This investigation was different as the Plaintiffs quickly realized these investigations tapped in to high ranking NYPD and City officials.
75. The investigation also involves NYPD Inspector Ray Jenkins related to his real estate business.
76. Plaintiffs are concerned that this investigation could lead to them being further harassed and retaliated against.
77. As the investigation progresses the NYPD officers also realize that the investigation is into the NYPD.
78. At this point the atmosphere in the office changes.
79. Defendant DEYNES regularly asks inappropriate questions in an effort to gain information about the investigation.
80. It is clear to the Plaintiffs that Defendant DEYNES is trying to find out the extent of the investigation in order to report it to someone.

81. Upon information and belief, Defendant DEYNES was gathering information about the investigation on behalf of Defendant FESTINO.
82. Upon information and belief, Defendants FESTINO and DEYNES were both aware that DOI was investigating the NYPD and were trying to use their position to gain information to help their own careers.
83. Subsequently, the DOI investigation into Pearson and to Caban's brother is joined by the Southern and Eastern Districts of New York.
84. Plaintiffs are informed not to share sensitive information with the other NYPD employees as DOI is not sure who is compromised.
85. The investigation expands to include Phillip Banks and into favors for night clubs.
86. Specifically, one allegation involved an incident at a night club in the 103rd Precinct.
87. At one point the Plaintiffs are asked to run numbers for wire taps.
88. Multiple phone numbers on the list link back to Timothy Pearson, Jenkins and several other City officials.
89. Plaintiffs believe that they are being treated differently by the other NYPD employees within DOI due to their assistance in the investigation.
90. This harassment continued until Plaintiff Vidot was forced to retire and to date for Plaintiff Seidman.
91. From this point forward, based on the Plaintiffs participation in the Pearson and Caban investigation, they are retaliated against.
92. In 2022, the questions by Defendant DEYNES become so inappropriate that the Plaintiffs report it to DOI investigator Audrey Feldman.

93. Plaintiffs learn that DOI had referred the inappropriate questions by Defendant DEYNES to the Southern District of New York.
94. In July 2022, Plaintiff Vidot is promoted to Detective 1st Grade.
95. Plaintiff Vidot earned this promotion based on his stellar work performance.
96. In August 2022, Plaintiff Seidman returned from vacation.
97. When he returned Defendant FESTINO huddled over Plaintiff Vidot's desk.
98. While Plaintiff Seidman was engaged in case related briefing Defendant FESTINO slapped his buttock, smirking when asking how his vacation was, big guy.
99. Plaintiffs Seidman and Vidot are greatly offended by the violation.
100. In September 2022, Captain Janelle Sanders tragically passed away from cancer due to exposure following the September 11th terrorist attacks.
101. Plaintiffs attend Captain Sander's Police Department line of duty funeral with their squad commander, Lieutenant Tanisha Gurley, at her request.
102. While at the funeral, Plaintiff Vidot receives a call from Defendant FESTINO.
103. That same day, DOI civilian employee, Kyle, was having a retirement party.
104. When Plaintiff Vidot answered the phone Defendant FESTINO proceed to berate him and Plaintiff Seidman.
105. Defendant FESTINO said to Plaintiff Vidot "What are you doing?"
106. Plaintiff Vidot stated that he was at an NYPD funeral.
107. Defendant FESTINO responds by calling Plaintiff Vidot a "Fucking piece of shit, you think you can do whatever you want. You mother fuckers. Come see me on Monday in my fucking office. You fucking piece of shit."
108. Plaintiff is appalled by the comments.

109. No other people in the officer are treated in this manner.
110. Defendant FESTINO treats Plaintiff Seidman in this manner due to his religion which he has repeatedly made known.
111. Defendant FESTINO treats Plaintiff Seidman in this manner due to his association with his Jewish partner.
112. Plaintiffs are informed by another member of the unit, Detective Kathleen Corea, that she is witness to defendant FESTINO berating both Plaintiffs over the phone, as Detective Corea is in the office at the time.
113. Detective Corea witnesses Defendant FESTINO laughing at his own actions in front of members of the DOI squad who witnessed these actions.
114. Detective Corea further stated Defendant FESTINO had offensive rap music blaring, portraying himself as a gangster.
115. No other NYPD liaisons in the unit are treated in this manner.
116. Plaintiffs, confused, leave the funeral and try to make it back to the party.
117. Plaintiff Vidot calls Defendant FESTINO to inquire about the sudden hostility and is told that they are missing Kyle's pizza party by going to the funeral.
118. Plaintiff Vidot asks Defendant FESTINO if he can make it up to Kyle next week.
119. Defendant FESTINO tells Plaintiff Vidot "Listen you mother fucker. I will fucking kill you. I'll kick your fucking ass."
120. Plaintiff Vidot immediately calls Lieutenant Tanesha Gurley to report the incident.
121. Lieutenant Gurley is the wife of Chief Benjamin Gurley who is the Commanding Officer of the Patrol Borough Bronx.
122. Lieutenant Gurley works in DOI with the Plaintiffs.

123. That same day Defendant FESTINO called Lieutenant Gurley to curse out Plaintiffs Vidot and Seidman.
124. Lieutenant Gurley, who was also at the funeral, answered the phone and halted Defendant FESTINO in his tracks.
125. Lieutenant Gurley stated, “my friend just died, we can talk about this on Monday” and hung up the phone.
126. As a result of the repeated comments and hostility, the hostility became too much.
127. Plaintiff Vidot filed a complaint of discrimination with the NYPD’s Office of Equal Employment office.
128. In the discrimination complaint, Plaintiff Vidot details the gender and religious discrimination and the hostile work environment it caused.
129. Following the complaint, it becomes well known throughout the command that the Plaintiffs had made an OEEEO complaint.
130. The OEEEO complaint constitutes protected activity under New York City Human Rights law.
131. Two days later, Defendant FESTINO confronts Plaintiff Vidot about filing an OEEEO complaint against him which was supposed to be confidential.
132. Defendant FESTINO tells Plaintiff Vidot “I know what you fucking did. You are a marine.”
133. Defendant FESTINO curses out Plaintiff Vidot for making the OEEEO.
134. The Plaintiffs are immediately retaliated against.
135. Defendant FESTINO, immediately following the discrimination complaint, orders Plaintiffs to only report to him instead of the normal chain of command they have followed since joining DOI.

136. This actions was taken purposefully to dissuade others from engaging in protected activity.
137. Defendant FESTINO tells Plaintiffs that they “really fucked up” by discussing the discrimination they have been forced to endure by him.
138. Defendant FESTINO tells Plaintiffs that its “unfuckingbelievable” that they would engage in protected activity.
139. Plaintiffs contact Detective Endowment Association Trustee Brian McGuire for help.
140. Plaintiffs meet Detective McGuire at NYPD Headquarters located at One Police Plaza.
141. When they meet with the Trustee, Plaintiffs learn that OEEEO investigator Sergeant Woo had already contacted the Trustee to discuss their case.
142. Sergeant Woo was asking the Trustee to convince Plaintiffs to transfer to a new command.
143. This would allow the NYPD to close the investigation.
144. OEEEO within the NYPD rarely helps officers who make complaints of discrimination.
145. Prior to the complaint made by both of the Plaintiffs, they believed, and it is broadcast that the discrimination complaints are anonymous.
146. Plaintiffs learned first-hand that Sergeant Woo had informed the union about their complaint without their permission.
147. It is unsurprising that Plaintiffs were subjected to retaliation as they were not protected in any meaningful way by the NYPD’s OEEEO.
148. At the meeting, Plaintiffs are informed that Defendant FESTINO will be transferred out of DOI and that they should keep their heads down until then.
149. Plaintiffs are relieved to hear this nightmare will soon be over and return to DOI.
150. Immediately upon their return, Defendant FESTINO tells Plaintiffs “I know what you did. I know where you were.”

151. Plaintiffs were retaliated against as a result of their engagement in protected activity.
152. At all times herein, the subsequent actions taken against the Plaintiff by the Defendants herein was done purposefully to dissuade others from engaging in protected activity.
153. Plaintiffs are told by Defendant FESTINO that they will only be assigned work from him directly and that the work they must do would be for “him and only him.”
154. These new orders were dramatically different than the other members of the unit.
155. Plaintiffs were the only ones who engaged in protected activity and were the only ones punished in retaliation for their complaints.
156. Following the new orders, the Plaintiffs were on a three (3) day detail assignment which led them out of the Unit.
157. When Plaintiffs returned they were met with picture of rats hung up due to their OEEO complaint.
158. Plaintiffs OEEO complaint is repeatedly referenced in the office which leads to retaliation against the Plaintiffs.
159. Plaintiffs believe the rat photos are also a direct threat related to their assistance in the investigation into high ranking City and NYPD officials.
160. As a result of the barrage of retaliation Plaintiffs live in constant fear for their safety and are constant on alert.
161. Plaintiffs are denied overtime details which cost them thousands of dollars in less overtime by Defendant FESTINO.
162. The retaliation of the Plaintiffs is overt.
163. Others who did not engage in protected activity are not denied overtime.

164. On several occasions, rat photos are hung around the office with Plaintiffs confidential plates hung next to the photos.
165. Plaintiffs took photos of the clear retaliation.
166. Plaintiffs are subsequently contacted by the NYPD's Internal Affairs Bureau Group 1, Sergeant Velez, to discuss the discrimination complaint they filed.
167. Plaintiffs did not believe it was proper for Internal Affairs to be contacting them.
168. At the hearing, Plaintiffs are informed that the NYPD's Internal Affairs Bureau is responsible for investigating allegations of hostile work environment.
169. This is contrary to NYPD procedure and likely is the cause of rampant retaliation within the department.
170. Plaintiffs are interrogated over their claims.
171. Upon information and belief, Sergeant Velez is not trained in discrimination or retaliation investigations.
172. The retaliation becomes so overt that Lieutenant Gurley files her own OEE0 against Defendant FESTINO.
173. Following Lieutenant Gurley's complaint the retaliation continued.
174. Plaintiffs are issued new rules in an effort to retaliate against them.
175. Plaintiffs are informed that they now must wear a business suit to work each day, and they must check in with the office every two (2) hours while they are in the field.
176. No other NYPD employee working under Defendant FESTINO is treated in this manner.
177. At all times herein, Plaintiffs were treated less well due to Plaintiff Seidman's religion and Plaintiff Vidot's association with him which caused them to work in a hostile work environment.

178. Plaintiffs union objects to the verbal order.
179. Defendant FESTINO is forced to write a memorandum formalizing the rules as a result.
180. Plaintiffs then go back to OEEO to complain about the retaliation.
181. Plaintiffs tell OEEO that they now need special permission to work overtime, costing them thousands, need to check in every two (2) hours and that he had his four hours changed, causing him child care hardship.
182. OEEO refuses to take the case and instead refers the case to the NYPD Internal Affairs Bureau for investigation.
183. Instead when Plaintiffs get to OEEO they are asked if they had permission to be there and are informed that there has been an allegation made against them.
184. Plaintiffs are surprised by the comments and are informed by Lieutenant Chen that they will be notified later about the investigation into them.
185. The case is referred to NYPD Internal Affairs Bureau Group 1 which investigates the rank of Captain and above.
186. When Plaintiffs return to the Unit they continue to be retaliated against.
187. Plaintiff was issued a minor violation for allegedly failing to check in every two (2) hours.
188. There is no basis for the discipline as Plaintiffs had not done anything wrong.
189. Plaintiffs were punished in retaliation for their discrimination complaints.
190. In October 2022, Plaintiffs are given an assignment from Defendant SCICCA.
191. Plaintiffs are informed that they should go to the 5th Precinct, meet DOI Corrections personnel from squad 1 to voucher evidence on a homicide which took place on Rikers Island.
192. Plaintiffs tell Defendant SCICCA what they were doing that day at work.

193. When Plaintiffs were at the 5th Precinct after about 15 minutes, the precinct received a call from Defendant SCICCA.
194. Defendant SCICCA was calling the Precinct to confirm that the Plaintiffs were present and doing their jobs.
195. This was the first time that Plaintiffs were aware of any supervisor within DOI checking up on their investigators.
196. This was done in retaliation for Plaintiffs complaints of discrimination and to harass them.
197. The NYPD officer who confirmed that Plaintiffs were there working told them “I have never heard of that before” in reference to checking up on officers doing their jobs.
198. One hour later, Defendant SCICCA calls again to verify that Plaintiffs were there.
199. This time Defendant SCICCA want to speak with Plaintiffs.
200. Defendant SCICCA says to Plaintiffs “what are you doing? Where are you at? When you get back get in my office.”
201. After the call the other officers in the 5th Precinct ask Plaintiffs “what is wrong with that guy?”
202. Plaintiffs try to laugh it off and continue with their tasks.
203. At the end of the job a sergeant in the 5th Precinct signs of on the work and the Plaintiffs return to DOI.
204. When they get back the Plaintiffs see Defendant SCICCA .
205. Plaintiffs are issued a minor violation for allegedly failing to check in after two (2) hours.
206. Plaintiffs were supposed to call Defendant SCICCA at the two hour mark even though she spoke with him after being in the 5th Precinct for 15 minutes and an hour after that.

207. Plaintiffs are also disciplined for failure to accurately describe where they were working in the memo books.
208. No other officers within the Unit received similar discipline.
209. Plaintiffs attempt to call OEEEO to file another retaliation complaint.
210. OEEEO refuses to accept the complaint.
211. Thereafter Plaintiff Seidman gets sick and is out of work for a week.
212. Each day during the week, despite being full duty, Absence Control is sent to his home to harass him.
213. When Absence Control arrives at Plaintiff's home he inquires as to why they are there.
214. Normally Absence Control only goes to officers who are modified and restricted or randomly.
215. Plaintiff Seidman is informed by the Sergeant from Absence Control that his case is special and that someone made a phone call which is why they are at his residence.
216. Upon information and belief, the harassment was ordered by Defendant FESTINO.
217. In 2022, Plaintiff Seidman was informed by Police Commissioner Edward Caban that he would be promoted to Detective 2nd Grade.
218. Despite the promise, no promotion subsequently comes.
219. Plaintiff Seidman is denied the promotion due to his religion and in retaliation for engaging in protected activity.
220. After these incidents, the Defendants attempted to remove the Plaintiffs from DOI.
221. In January 2023, Defendant FESTINO is transferred out of DOI.
222. Following his transfer Defendant FESTINO is issued disciplinary charges for
 - a. Living outside the state and permissible counties

- b. Improperly used Department property
 - c. Made of caused to be made false or inaccurate entries into department records.
 - d. Wrongfully discourteous to an individual within the Department
 - e. Failed to make the required entries in Department logs.
223. Despite Defendant FESTINO leaving DOI, Plaintiffs are subjected to non-stop retaliation.
224. Defendant FESTINO would regularly come to DOI to harass Plaintiffs.
225. On one occasion Defendant FESTINO was sitting at Plaintiff Vidot's desk when they arrived for work.
226. Plaintiffs subsequently complained to OEE0 about the actions of Defendant FESTINO, but they refused to take the case.
227. In June 2023, Defendant FESTINO pled guilty to the aforementioned charges.
228. Around this time, another picture of a rat is hung in the office with Plaintiffs identifying information written on the picture.
229. Plaintiffs took a picture of the photo.
230. Plaintiffs believe the constant hanging of the rat pictures and others retaliation was caused jointly by both their participation in the DOI investigation into high ranking City and NYPD officials including Pearson and Caban and their OEE0.
231. These actions were taken purposefully dissuade others from engaging in protected activity and also for participating in the DOI investigation.
232. The retaliation continues to date.
233. As part of the plea deal, Defendant FESTINO was docked fifty (50) vacation days and was placed on a year of dismissal probation.

234. In December 2022, Plaintiffs Seidman and Vidot is being forced to come in at 6:00 am while everyone else in the command is allowed to come in at 5:00 am.
235. In June 2023 plaintiffs are still forced to come in at 6:00 am while everyone else receives exceptions and comes in at 5:00 am.
236. Plaintiff Seidman had previously expressed that the changed schedule creates a hardship on him which is why the change remained.
237. The change in schedule causes Plaintiffs to have an hour long
238. Plaintiffs, from the time they became partners, through their retaliation complaints are treated like criminals within the Command.
239. On this date in June, Plaintiff Seidman and Vidot are abruptly informed by Defendant DEYNES that they are being transferred out of DOI to Real Time Crime as per the Orders of Chief Essig.
240. Plaintiffs are stunned by the news.
241. Plaintiffs are then told that they must hand in their car keys, ID cards and property.
242. Plaintiff Seidman is then told by Defendant DEYNES that he must turn in his gun and shield.
243. Plaintiff Seidman is baffled and asks for an explanation.
244. Plaintiff Seidman is forced to turn in his gun and shield.
245. The Plaintiffs are then separated in different conference rooms where they are told to sit and wait.
246. The Plaintiffs have no idea what is going on and they are being treated like criminals.
247. Plaintiff Seidman asks why his gun and shield were taken but does not receive a response.
248. Plaintiffs ask their union to be notified of what has happened.

249. Plaintiffs are told that they will “let the union known when they think of it.”
250. Shortly thereafter the new Commanding Officer Colon comes to the office.
251. Colon says he does not want to get involved.
252. Colon walks into the conference room and gives Plaintiff Seidman his gun and shield back.
253. The union is then called and told not come.
254. Colon asks the Plaintiff to just transfer to Real Time for a fresh start and cancel the union.
255. While Plaintiffs are talking to Colon, his phone rings.
256. Defendant BALDASSANO calls Colon as the Plaintiffs can see who was calling.
257. The Plaintiffs here Defendant BALDASSANO on the phone cursing.
258. Defendant BALDASSANO and Defendant FESTINO are close friends, dating back to their time in the 9th Precinct where they worked together many years ago.
259. The Plaintiffs can hear Defendant BALDASSANO scream into the phone “fuck those mother fuckers they are going to the 104th precinct.”
260. Colon then hangs up the phone and tells the Plaintiffs there is nothing he can do.
261. When Plaintiffs are informed that they are being transferred they ask if they can use their car to take home their belongings.
262. Plaintiffs are told that they cannot.
263. The exact words used were “tough shit.”
264. Plaintiffs then walk to their unions office.
265. When the Plaintiffs arrive they are told that the transfer was improper and that they will help them get to the bottom of it.
266. The unions President, Paul DiGiacomo states he is personal friend with Defendant BALDASSANO, referring to him as “Mikey B” and proceeds to call his cell phone.

267. Plaintiffs are within earshot of the conversation which ends with the Plaintiff's now being transferred "off book" as per defendant BALDASSANO to Real Time Crime once again.
268. The union President apologies there was not more he could do.
269. Plaintiff Vidot's wife, who is disabled, is forced to drive into the City and pick up her husband and Plaintiff Seidman.
270. Following the meeting, Plaintiffs are transferred out of DOI to Real Time crime.
271. On multiple occasions prior to the transfer detectives from the DOI squad requested that Plaintiffs be transferred in retaliation for the OEEOs.
272. Plaintiffs transfer to Real Time Crime where they proceed to just at the Command for eight (8) weeks.
273. Plaintiff Seidman was transferred to the 4:00 x 12:00 tour which dramatically altered his child care.
274. Based on the retaliatory transfer Plaintiff Seidman's overtime hours drop from 222 to 131 hours, costing him thousands of dollars in lost wages.
275. Plaintiff Seidman was unable to coach his children which he had previously done.
276. The Plaintiffs lost a lot of overtime pay while they were assigned to Real Time Crime.
277. The financial hardship lead to Plaintiff Seidman missing two (2) mortgage payments.
278. The financial hardship on Plaintiff Seidman caused him to suffer severe emotional distress.
279. Finally Plaintiff Vidot had enough and decides to submit his retirement papers and leave the NYPD.
280. On his way back from submitting his retirement papers, Plaintiff runs into then Chief of the Department Jeffrey Maddrey's in the elevator bay, who states come see me in my office.

281. Maddrey saw Plaintiff Vidot from his office and comes out to greet him.
282. Plaintiff Vidot thanks Maddrey and tells him he is submitting his retirement papers.
283. Maddrey says I thought things got better after I bounced Ray Ray.
284. Maddrey also asks if the bullshit is still going on in reference to the discrimination and retaliations.
285. Plaintiff Vidot tells Maddrey that it did not get better, and the retaliation had worsened.
286. Maddrey tells Plaintiff Vidot, “Tony, you are not retiring. You are not fucking leaving. Pick a spot. You are staying on the job.”
287. Maddrey tells Plaintiff Vidot to speak to Lieutenant Epps about the transfer.
288. Plaintiff Vidot states that that he wants to go to Emergency Management as they still allow officers to have a take home car, and most closely mirror the schedule he had.
289. Lieutenant Epps then initiates the transfer.
290. Both Plaintiffs are transferred to the Office of Emergency Management (“OEM”).
291. Plaintiff Vidot pulls his retirement papers on September 30, 2023.
292. When the Plaintiffs arrive for their first day they are greeted warmly by Lieutenants Charles Bousey and Joe Dunn.
293. Plaintiffs are informed that they get to pick their tour, will work together and have weekends off.
294. Plaintiffs are excited to be in a place that will treat them with respect.
295. Three (3) days later, that all changes, as the Plaintiffs are informed that they cannot chose their hours like everyone else in OEM.
296. While Maddrey and Epps both promised to take care of Plaintiffs and end the unlawful treatment, in reality they did very little to help the Plaintiffs.

297. The comments of Maddrey and Epps are mere window dressing, and the Plaintiffs are retaliated against continuously as a result of Maddrey's failure to intervene.
298. At all times herein, the NYPD including its highest ranking officer, Chief of Department Jeffrey Maddrey, were aware of the unlawful treatment of the Plaintiffs yet failed to intervene to stop it.
299. The Plaintiffs are being purposefully separated in retaliation for their OEEEO complaints.
300. This change in policy comes after Defendant DEYENES calls OEM and tells them to retaliate against Plaintiff.
301. It is unclear if Defendant DEYNES is retaliating against the Plaintiffs for their OEEEO complaint or for reporting him for misconduct when he was inappropriately asking for information related to the Pearson investigation to curry favor within the Department.
302. The retaliation is solidified when DOI Assistant Commissioner Dominick Zarela, a close friend of Defendant FESTINO, also calls OEM about the Plaintiffs.
303. Following the barrage, further retaliation against the Plaintiffs for their filing of OEEEO's is solidified.
304. At all times the actions taken against Plaintiffs were done purposefully to dissuade others from engaging in protected activity.
305. Plaintiff Vidot is assigned to the 7:00 x 15:00 tour and Plaintiff Seidman is forced to work 4:00 x 12:00 tour.
306. Further, Plaintiffs are the only people in OEM that are not given use of an OEM vehicle.
307. After approximately 2 months, the Plaintiffs are finally reassigned to the day tours, but they are not given a department vehicle.

308. This reassignment of tours is to the benefit of OEM as the new migrant site they have been moved to is no longer 24 hours, only operating from 8:00 am-8:00 pm.
309. Plaintiff Vidot then calls Maddrey's office and spoke with Lieutenant Epps.
310. When Plaintiff Vidot explains the situation to Epps she says, "Are you freaking kidding me?"
311. Epps tells Plaintiff Vidot that she will handle it.
312. No actions are taken, and the retaliation continues.
313. In July 2023, Defendant FESTINO formally retires.
314. After landing in OEM, Plaintiffs are notified three (3) weeks later that they are to report to Group 1 for an internal hearing ("GO-15").
315. On October 12, 2023, the date of the hearing, Plaintiffs are informed that they are being investigated over "improper use of a department vehicle."
316. The Defendants refuse to tell Plaintiffs who made the complaint against them.
317. The entire situation was retaliatory as it is NYPD policy to disclose who your accuser was.
318. Plaintiffs are not provided with this information.
319. Further evidence of retaliation is that Group 1, who is responsible for investigating members of service in the rank of Captain or above, were investigating Detectives.
320. The rank of detective is three ranks lower than Captain.
321. Upon information and belief, Plaintiffs were being investigated by Group 1 due to their involvement in the Pearson investigation.
322. At the hearing, Plaintiffs' are asked about use of the department vehicles they are assigned in DOI.

323. Plaintiffs inform the investigators the vehicles are assigned by DOI and are not department vehicles.
324. Plaintiffs also inform the investigators that each person in DOI had an assigned vehicle, regulated by both the DOI fleet coordinator and Defendant DEYNES.
325. At the hearing, Plaintiffs' attorney is informed that the matter will exonerated.
326. Plaintiffs overhear the Commander of Group 1 state to the union lawyer "these guys are going to sue right? Make sure they remember my guys did a great job here."
327. Around this time, Plaintiff Seidman notices he is being followed.
328. Upon information and belief, Group 1 was actively surveilling Plaintiff Seidman in retaliation for his complaints of discrimination.
329. Following the GO-15 which took place on October 12, 2023, Plaintiff Vidot calls Maddrey's office and speaks with Lieutenant Epps.
330. Plaintiff Vidot states that he pulled his papers based on their word and that he was subjected to a GO-15 less than two weeks after they promised him to end the retaliation.
331. Plaintiff is told by Lieutenant Epps that she "will look into it."
332. While Plaintiffs were informed that the case would be exonerated, two weeks later, the case against the Plaintiffs is deemed unsubstantiated.
333. While Plaintiffs are assigned to OEM, Plaintiff Seidman is forced to drive two hours each way to his assignment.
334. This common retaliatory practice is known as Highway Therapy in the NYPD.
335. In OEM the Plaintiffs are assigned to work in the Migrant Shelters.
336. Specifically, the Plaintiffs are assigned to the Migrant Shelter in the East Village on 7th Street.

337. Plaintiffs are the only people in OEM not given a title after they arrived.
338. Plaintiffs SEIDMAN and VIDOT have been title “to be determined” for the duration of assignment.
339. Detectives, police officers and a Sergeant who have been transferred into OEM since the Plaintiff have each been given “titles” ranging from Accounts Payable, Assistant to the NYPD Inspector to NYPD liaison.
340. After Plaintiffs transfer to OEM, they are given a retaliatory 3.5 out of 5.0 negative performance evaluation for the year 2023.
341. There was no basis for this negative evaluation other than to harm the Plaintiffs careers in retaliation for the protected complaints.
342. In April 2024, Plaintiff Vidot formally retires from the NYPD.
343. Plaintiff Vidot was constructively discharged from the NYPD.
344. A reasonable person in Plaintiff Vidot’s situation would have felt compelled to leave their employment with the NYPD due to unlawful retaliation.
345. Plaintiff Vidot planed on working until the age of 62 but was forced to retired over the hostile work environment and retaliation they have been forced to endure.
346. Plaintiff Vidot’s retirement party was not allowed to be held at OEM or an NYPD facility but instead was forced to take place at the migrant shelter.
347. Only the Commanding Officer and Sergeant from the NYPD showed up for the party.
348. In May 2024, Plaintiff Seidman is placed in charge of reasonable accommodation requests by migrants despite no training.
349. Each migrant accommodation request comes to Plaintiff, and he must make a decision on the practicality of the request.

350. At OEM Plaintiff Seidman is supervised by Defendant ROBINSON.
351. Unknown to Plaintiff Seidman at the time, Defendant ROBINSON is friends with Defendant BALDASSANO.
352. Defendant ROBINSON is also very close with Ray Jenkins, the Inspector being investigated by DOI.
353. Defendant ROBINSON is also very close with Former Deputy Mayor of Public Safety Phillip Banks.
354. After Plaintiff Vidot retires, Plaintiff Seidman is being supervised by Emily Ashton, an OEM Senior Advisor.
355. Under Ashton's supervision Plaintiff Seidman is finally given a title, Deputy Director of Security and Strategy.
356. Plaintiff continues in his accommodation position.
357. Plaintiff is forced to work all hours of the day but is only paid for the time he is on the clock.
358. This continues to date.
359. In October 2024, Plaintiffs Seidman and Vidot each receive Unit Citations for their work in OEM based in their stellar work performance.
360. Around this time Plaintiff Seidman gets word that the Asylum project he is working on will end in March 2025.
361. Plaintiff is informed by Emily Ashton that she would want to be part of the behind the scenes conversations about me going on, if she was me.
362. Plaintiff sends a text message to Defendant ROBINSON inquiring about his status when the project ends.

363. Defendant ROBINSON ignores the text message.
364. Plaintiff Seidman sends another text message to Defendant ROBINSON.
365. In this message Plaintiff Seidman spells out the discrimination and retaliation he has suffered since making his OEEEO against Defendant FESTINO.
366. Defendant ROBINSON is clearly annoyed in his response to Plaintiff when he states, “What the hell is this about?”
367. Defendant ROBINSON is a mandated reporter for OEEEO but fails to report Plaintiff Seidman’s complaint.
368. Defendant ROBINSON, in his response to Plaintiff, falsely states that they have no issue with Plaintiff Seidman in the office and want him to come into the office more.
369. This was contrary to past orders where Plaintiffs were told not to come into the office located at Cadman Plaza.
370. Plaintiff Seidman was clearly retaliated against in OEM.
371. Plaintiff Seidman is the only officer not given a take home car, a locker to securing his firearm or a desk to work from.
372. Three officers with less seniority than Plaintiff Seidman are given take home cars.
373. These officers include but are not limited to Heather Perl, Ryan Dwyer and Ray Denora.
374. Each of these officers have less time in the Unit, one has less time on the job, and one is a lower rank, but are given employment benefits Plaintiffs are denied.
375. On January 21, 2025, Plaintiff Seidman is informed that he is being transferred from OEM and will be placed on patrol.
376. Plaintiff Seidman is told that because of the new transit initiative initiated by Governor Kathy Hochul that every command must send three (3) people to Transit.

377. Plaintiff Seidman contacts Defendant ROBINSON who informs him that he had no choice but to submit Plaintiff Seidman's name.
378. This makes little sense as several less senior NYPD officers work in OEM and the assignment would be based on seniority.
379. Plaintiff, after being notified that he is being transferred, calls a Chief friend he knows on the job.
380. Plaintiff is informed that what Defendant ROBINSON told him was not accurate.
381. Each command did not need to send three (3) people.
382. In fact after Chief Grandstaff spoke to Chief Galvin, the Operations Bureau as a whole needed to send nine (9) total people, and OEM does fall under Operations, however they already had 8 names, and none were asked from OEM.
383. Plaintiff Seidman is informed that the 9th name had yet to be given.
384. Plaintiff Seidman is informed by Chief Grandstaff that Chief Galvin stated he will not be the last guy.
385. In fact, Transit only needed nine (9) total people, and they already had eight (8).
386. Plaintiff Seidman is informed by his Chief friend that he will not be the last guy.
387. Plaintiff Seidman is relieved to here that he will not be transferred which would have created significant hardship on him due to his child care responsibilities.
388. Three (3) hours later Plaintiff Seidman is called back by Chief Grandstaff and informed that "this shit is much bigger than he realized" and Plaintiff Seidman is going to have to go to Transit.
389. Defendant ROBINSON went out of his way to call Chief Grandstaff from his vacation in Mexico to state "Seidman cannot be substituted, he goes".

390. Defendant ROBINSON is 2 ranks below the Chief.
391. Plaintiff Seidman is informed that they will do their best to get him Transit District 20 but that the transfer needs to go through.
392. Plaintiff later learns that this retaliatory order came from Defendant BALDASSANO.
393. Under Maddrey Defendant BALDASSANO had been outcasted.
394. After Maddrey was forced to retire due to sexual abuse allegations, Defendant BALDASSANO was placed in charge of City-Wide Investigations.
395. In this position Defendant BALDASSANO was able to retaliate against Plaintiff Seidman.
396. Plaintiff, at all times herein, was a member of a protected class in that he is Jewish.
397. Plaintiff, at all times herein, was an associated with member of a protected class in that he is Jewish.
398. Plaintiffs, at all times herein, performed their jobs in a satisfactory manner.
399. Plaintiffs suffered adverse employment actions such as being denied overtime, denied lucrative transfers, evaluated poorly, harassed, forced into dangerous assignments without support, and not promoted due to his race and national origin.
400. These adverse actions were due to Plaintiff's religion, and association with religion.
401. Plaintiff engaged in protected activity when he repeatedly complained about discriminatory treatment.
402. Following this protected activity, Plaintiff was denied overtime, days off, vacation, sent to psych services, and denied promotions.
403. All of these actions were taken to deter a person like Plaintiff to engage in protected activity.
404. Plaintiff was retaliated against for engaging in protected activity.

405. That at all times herein the Defendant CITY OF NEW YORK, knew or should have known of the discriminatory and retaliatory actions taken toward Plaintiff yet failed to intervene to prevent these unlawful actions against Plaintiff.
406. That at all times herein the Defendant City OF NEW YORK failed to properly train police officers.
407. The Defendants herein, if properly trained, would not have taken the discriminatory and retaliatory actions towards Plaintiff.
408. The Defendants herein, upon information and belief, were not subjected to any discipline as a result of their unlawful discriminatory and retaliatory actions towards Plaintiff which has caused Plaintiff to suffer further unlawful acts.
409. The Defendants herein, if properly supervised, would not have taken the discriminatory and retaliatory actions towards Plaintiff.
410. Plaintiff at all times herein was fit for duty as a Police Officer of the Defendant CITY OF NEW YORK.
411. As a result of denial of employment by the Defendants herein, Plaintiff lost substantial income in promotional opportunities, overtime, salary, and pension benefits as a result of the unlawful actions of the Defendants herein.
412. Plaintiff alleges that the actions of the defendants herein caused him to suffer severe and pervasive emotional distress as a result of that hostile environment.
413. Plaintiff alleges that the defendants herein had actual knowledge of the discriminatory and retaliatory treatment of Plaintiff herein and failed to intercede to prevent the unlawful behavior.

414. Plaintiff alleges defendant CITY OF NEW YORK engaged in various unlawful employment actions against Plaintiff in retaliation for his lawfully protected complaints of race discrimination.
415. Plaintiff suffered several adverse employment actions as a result of his race.
416. Plaintiff believes that the adverse employment actions were a direct result of Plaintiff's race but at the very least, race played a factor in the adverse employment actions taken against him.
417. These adverse employment actions include but are no way limited to, improper discipline, punishment, transfers, highway therapy, disparate assignment of post, inaccurate performance evaluations, denial of overtime, denial of specialized units and failure to promote.
418. Plaintiff has been subjected to a hostile work environment as a result of the severe and pervasive discriminatory and retaliatory conduct as described herein.

COUNT I
RELIGION DISCRIMINATION
IN VIOLATION OF NEW YORK CITY
ADMINISTRATIVE CODE § 8-107

419. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to this Count.
420. Plaintiff alleges that New York City Administrative Code § 8-107, makes it unlawful to deny employment on the basis of his religion.
421. Plaintiff performed his job duties satisfactorily which is reflected in Plaintiffs stellar performance evaluations. Nevertheless, Defendant denied Plaintiff benefits of employment, including all favorable conditions and emoluments thereof because of Plaintiff's religion, created a hostile work environment by the conduct of Defendants

CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA. The wrongful conduct was condoned by the Defendant CITY OF NEW YORK.

422. Defendant's actions were taken under circumstances giving rise to an inference of discrimination.
423. The direct and proximate cause of Defendant's recklessness and negligence, Plaintiff was denied a promotion, suffered lost past and future wages, lost other valuable benefits and emoluments of employment, hurt his credit rating, lost career, and business opportunities, suffered severe damage to his good name and reputation, was denied overtime, and endured severe emotional pain and trauma, all to his detriment in an amount to be determined at trial.
424. Plaintiff alleges Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA individually, engaged in various unlawful employment actions against Plaintiff based on his religion.
425. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices of Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, punitive damages, attorneys' fees, emotional distress, and damage to his personal and professional reputation in an amount to be determined at trial.

COUNT II
RELIGION DISCRIMINATION
HOSTILE WORK ENVIRONMENT
IN VIOLATION OF NEW YORK CITY
ADMINISTRATIVE CODE § 8-107

426. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to this Count.
427. Plaintiff alleges that New York City Administrative Code § 8-107, makes it unlawful to deny employment on the basis of his religion.
428. Plaintiff performed his job duties satisfactorily which is reflected in Plaintiffs stellar performance evaluations. Nevertheless, Defendant denied Plaintiff benefits of employment, including all favorable conditions and emoluments thereof because of Plaintiff's religion, created a hostile work environment by the conduct of Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA, and without any non-discriminatory basis thereof. The wrongful conduct was condoned by the Defendant CITY OF NEW YORK.
429. Defendant's actions were taken under circumstances giving rise to an inference of discrimination.
430. Defendant subjected Plaintiff to a materially adverse and hostile work environment by subjecting him, day after day, month after month, without supervisory intervention to discrimination and retaliation based his religion.
431. The actions of the Defendant towards Plaintiff were severe and pervasive.
432. The direct and proximate cause of Defendant's recklessness and negligence, Plaintiff was denied a promotion, suffered lost past and future wages, lost other valuable benefits and emoluments of employment, hurt his credit rating, lost career, and business opportunities, suffered severe damage to his good name and reputation, was denied overtime, and endured severe emotional pain and trauma, all to his detriment in an amount to be determined at trial.

433. Plaintiff alleges Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA, engaged in various unlawful employment actions against Plaintiff based on his race.
434. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices, including subjecting Plaintiff to a hostile work environment, of Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, punitive damages, attorneys' fees, emotional distress, and damage to his personal and professional reputation in an amount to be determined at trial.

COUNT III
RELIGION DISRIMINATION
STRICT LIABILITY IN VIOLATION OF
NEW YORK CITY ADMINISTRATIVE CODE § 8-107(13)(b)

435. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to this Count.
436. Plaintiff alleges that New York City Administrative Code § 8-107 (13) (b), makes a Defendant strictly liable for the discriminatory acts of managers and supervisors against a subordinate employee, such as the Plaintiff herein.
437. Plaintiff was subjected to repeated religious discrimination following the lawful complaints made by Plaintiff.
438. The Defendant was aware of the actions of managers and supervisors, including but failed to take corrective remedial action which forced Plaintiff to be subjected to future discrimination.
439. The Defendant failed to exercise reasonable diligence to prevent such discriminatory conduct.

440. Plaintiff performed his job duties satisfactorily which is reflected in Plaintiff's stellar performance evaluations. Nevertheless, Defendant denied Plaintiff benefits of employment, including all favorable conditions and emoluments thereof because of Plaintiff's religion, created a hostile work environment by the conduct of Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA, and without any non-discriminatory basis thereof. The wrongful conduct was condoned by the Defendant CITY OF NEW YORK.
441. Defendant's actions were taken under circumstances giving rise to an inference of discrimination.
442. The direct and proximate cause of Defendant's recklessness and negligence, Plaintiff was denied a promotion, suffered lost past and future wages, lost other valuable benefits and emoluments of employment, hurt his credit rating, lost career, and business opportunities, suffered severe damage to his good name and reputation, was denied overtime, and endured severe emotional pain and trauma, all to his detriment in an amount to be determined at trial.
443. Plaintiff alleges Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA, engaged in various unlawful employment actions against Plaintiff based on his religion.
444. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices of Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, punitive damages, attorneys' fees, emotional distress, and damage to his personal and professional reputation in an amount to be

determined at trial.

445. As a result of Defendant's willful actions, they are strictly liable to Plaintiff for their actions.

COUNT IV
RELIGION ASSOCIATION DISCRIMINATION
IN VIOLATION OF NEW YORK CITY
ADMINISTRATIVE CODE § 8-107
AGAINST ALL DEFENDANTS

446. Plaintiff re-alleges all paragraphs herein and incorporates them by reference in Count IV of this complaint.
447. Plaintiff alleges that New York City Administrative Code § 8-107, makes it unlawful to deny employment on the basis of their association with someone based on their religion
448. Plaintiff alleges that he was subjected to employment discrimination due to his association with someone who was being discriminated against on the basis of their religion.
449. Plaintiff was subjected to adverse employment actions and actions that are more than petty slights and trivial inconveniences.
450. Plaintiff performed her job duties satisfactorily which is reflected in Plaintiffs stellar performance evaluations. Nevertheless, Defendants denied Plaintiff benefits of employment, including all favorable conditions and emoluments thereof because of Plaintiff's association with someone who was being discriminated against based on their religion, created a hostile work environment by the conduct of Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA without any non-discriminatory basis thereof. The wrongful conduct was condoned by the Defendant CITY.
451. Defendants' actions were taken under circumstances giving rise to an inference of

discrimination.

452. The direct and proximate cause of Defendants' recklessness and negligence, Plaintiff was denied promotional opportunities, overtime, suffered lost past and future wages, lost other valuable benefits and emoluments of employment, hurt her credit rating, business opportunities, suffered severe damage to her good name and reputation, and endured severe emotional pain and trauma, all to her detriment.
453. Plaintiff alleges Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA, engaged in various unlawful employment actions against Plaintiff based on his religion.
454. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices of Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, punitive damages, attorneys' fees, emotional distress, and damage to his personal and professional reputation.

COUNT V
RELIGION ASSOCIATION DISCRIMINATION
HOSTILE WORK ENVIRONMENT
IN VIOLATION OF NEW YORK CITY
ADMINISTRATIVE CODE § 8-107
AGAINST ALL DEFENDANTS

455. Plaintiff re-alleges all paragraphs herein and incorporates them by reference in Count V of this complaint.
456. Plaintiff alleges that New York City Administrative Code § 8-107, makes it unlawful to deny employment on the basis of his association with someone who is being discriminated against on the basis of their religion.
457. Plaintiff performed his job duties satisfactorily which is reflected in Plaintiffs stellar

performance evaluations. Nevertheless, Defendants denied Plaintiff benefits of employment, including all favorable conditions and emoluments thereof because of Plaintiff's association with someone who was being discriminated against based on their religion, created a hostile work environment by the conduct of Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA and without any non-discriminatory basis thereof. The wrongful conduct was condoned by the Defendant CITY.

458. Defendants' actions were taken under circumstances giving rise to an inference of discrimination.
459. Defendants subjected Plaintiff to a materially adverse and hostile work environment by subjecting him, day after day and year after year, without supervisory intervention to discrimination and retaliation based on his association with someone who is being discriminated against on the basis of religion.
460. The actions of the Defendants towards Plaintiff were severe and pervasive.
461. The direct and proximate cause of Defendants' recklessness and negligence, Plaintiff was denied promotional opportunities, overtime, suffered lost past and future wages, lost other valuable benefits and emoluments of employment, hurt her credit rating, business opportunities, suffered severe damage to her good name and reputation, and endured severe emotional pain and trauma, all to her detriment.
462. Plaintiff alleges Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA, engaged in various unlawful employment actions against Plaintiff based on his religion.
463. Plaintiff alleges that as a direct and proximate result of the unlawful employment

practices, including subjecting Plaintiff to a hostile work environment, of Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, punitive damages, attorneys' fees, emotional distress, and damage to his personal and professional reputation.

COUNT VI
RETALIATION
IN VIOLATION OF NEW YORK
STATE EXECUTIVE LAW § 296

464. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to Count III of this complaint.
465. Plaintiff alleges that New York State Executive Law §296, makes it unlawful to deny employment and benefits therein in retaliation for Plaintiff engaging in lawfully protected activity.
466. Plaintiff was subjected retaliation after requesting an accommodation, a protected activity.
467. Plaintiff was retaliated against by the Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA., as a result of his engagement in protected activity.
468. Defendant's actions were taken under circumstances giving rise to an inference of retaliation.
469. The direct and proximate cause of Defendant's recklessness and negligence, Plaintiff was denied a promotion, suffered lost past and future wages, lost other valuable benefits and emoluments of employment, hurt his credit rating, lost career, and business opportunities, suffered severe damage to his good name and reputation, was denied overtime, and endured severe emotional pain and trauma, all to his detriment in an amount to be

determined at trial.

470. Plaintiff alleges Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA,, engaged in various unlawful employment actions against Plaintiff in retaliation for Plaintiff's lawfully protected complaints.
471. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices of Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA,, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, attorneys' fees, emotional distress, and damage to his personal and professional reputation in an amount to be determined at trial.

COUNT VII
RACE/NATIONAL ORIGIN DISCRIMINATION
IN VIOLATION OF NEW YORK CITY
ADMINISTRATIVE CODE § 8-107

472. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to Count IV of this complaint.
473. Plaintiff alleges that New York City Administrative Code § 8-107, makes it unlawful to deny employment on the basis of his race/national origin.
474. Plaintiff performed his job duties satisfactorily which is reflected in Plaintiffs stellar performance evaluations. Nevertheless, Defendant denied Plaintiff benefits of employment, including all favorable conditions and emoluments thereof because of Plaintiff's race/national origin, created a hostile work environment by the conduct of Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA,. The wrongful conduct was condoned by the Defendant CITY OF NEW YORK.
475. Defendant's actions were taken under circumstances giving rise to an inference of

discrimination.

476. The direct and proximate cause of Defendant's recklessness and negligence, Plaintiff was denied a promotion, suffered lost past and future wages, lost other valuable benefits and emoluments of employment, hurt his credit rating, lost career, and business opportunities, suffered severe damage to his good name and reputation, was denied overtime, and endured severe emotional pain and trauma, all to his detriment in an amount to be determined at trial.
477. Plaintiff alleges Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA, engaged in various unlawful employment actions against Plaintiff based on his race/national origin.
478. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices of Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA,, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, punitive damages, attorneys' fees, emotional distress, and damage to his personal and professional reputation in an amount to be determined at trial.

COUNT V
RACE/NATIONAL ORIGIN DISCRIMINATION
HOSTILE WORK ENVIRONMENT
IN VIOLATION OF NEW YORK CITY
ADMINISTRATIVE CODE § 8-107

479. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to Count V of this complaint.
480. Plaintiff alleges that New York City Administrative Code § 8-107, makes it unlawful to deny employment on the basis of his race/national origin.

481. Plaintiff performed his job duties satisfactorily which is reflected in Plaintiffs stellar performance evaluations. Nevertheless, Defendant denied Plaintiff benefits of employment, including all favorable conditions and emoluments thereof because of Plaintiff's race/national origin, created a hostile work environment by the conduct of Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA, and without any non-discriminatory basis thereof. The wrongful conduct was condoned by the Defendant CITY OF NEW YORK.
482. Defendant's actions were taken under circumstances giving rise to an inference of discrimination.
483. Defendant subjected Plaintiff to a materially adverse and hostile work environment by subjecting him, day after day, month after month, without supervisory intervention to discrimination and retaliation based his race.
484. The actions of the Defendant towards Plaintiff were severe and pervasive.
485. The direct and proximate cause of Defendant's recklessness and negligence, Plaintiff was denied a promotion, suffered lost past and future wages, lost other valuable benefits and emoluments of employment, hurt his credit rating, lost career, and business opportunities, suffered severe damage to his good name and reputation, was denied overtime, and endured severe emotional pain and trauma, all to his detriment in an amount to be determined at trial.
486. Plaintiff alleges Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA, engaged in various unlawful employment actions against Plaintiff based on his race.
487. Plaintiff alleges that as a direct and proximate result of the unlawful employment

practices, including subjecting Plaintiff to a hostile work environment, of Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA., Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, punitive damages, attorneys' fees, emotional distress, and damage to his personal and professional reputation in an amount to be determined at trial.

COUNT VI
RETALIATION
IN VIOLATION OF NEW YORK CITY
ADMINISTRATIVE CODE § 8-107

488. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to Count VI of this complaint.
489. Plaintiff alleges that New York City Administrative Code § 8-107, makes it unlawful to deny employment in retaliation for Plaintiff engaging in protected activity.
490. Plaintiff was subjected retaliation after requesting an accommodation, a protected activity.
491. Plaintiff was retaliated against by the Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA., as a result of his engagement in protected activity.
492. Defendant's actions were taken under circumstances giving rise to an inference of retaliation.
493. The direct and proximate cause of Defendant's recklessness and negligence, Plaintiff was denied a promotion, suffered lost past and future wages, lost other valuable benefits and emoluments of employment, hurt his credit rating, lost career, and business opportunities, suffered severe damage to his good name and reputation, was denied overtime, and endured severe emotional pain and trauma, all to his detriment in an amount to be determined at trial.

494. Plaintiff alleges Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA, engaged in various unlawful employment actions against Plaintiff in retaliation for Plaintiff's lawfully protected complaints.
495. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices of Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, punitive damages, attorneys' fees, emotional distress, and damage to his personal and professional reputation in an amount to be determined at trial.

COUNT VII
RACE/NATIONAL ORIGIN DISRIMINATION
STRICT LIABILITY IN VIOLATION OF
NEW YORK CITY ADMINISTRATIVE CODE § 8-107(13)(b)

496. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to Count VII of this complaint.
497. Plaintiff alleges that New York City Administrative Code § 8-107 (13) (b), makes a Defendant strictly liable for the discriminatory acts of managers and supervisors against a subordinate employee, such as the Plaintiff herein.
498. Plaintiff was subjected to repeated race/national origin discrimination following the lawful complaints made by Plaintiff.
499. The Defendant was aware of the actions of managers and supervisors, including but failed to take corrective remedial action which forced Plaintiff to be subjected to future discrimination.
500. The Defendant failed to exercise reasonable diligence to prevent such discriminatory conduct.

501. Plaintiff performed his job duties satisfactorily which is reflected in Plaintiffs stellar performance evaluations. Nevertheless, Defendant denied Plaintiff benefits of employment, including all favorable conditions and emoluments thereof because of Plaintiff's race/national origin, created a hostile work environment by the conduct of Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA, and without any non-discriminatory basis thereof. The wrongful conduct was condoned by the Defendant CITY OF NEW YORK.
502. Defendant's actions were taken under circumstances giving rise to an inference of discrimination.
503. The direct and proximate cause of Defendant's recklessness and negligence, Plaintiff was denied a promotion, suffered lost past and future wages, lost other valuable benefits and emoluments of employment, hurt his credit rating, lost career, and business opportunities, suffered severe damage to his good name and reputation, was denied overtime, and endured severe emotional pain and trauma, all to his detriment in an amount to be determined at trial.
504. Plaintiff alleges Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA, engaged in various unlawful employment actions against Plaintiff based on his race/national origin.
505. Plaintiff alleges that as a direct and proximate result of the unlawful employment practices of Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA, Plaintiff incurred significant legal costs, back pay, front pay, compensatory damages, punitive damages, attorneys' fees, emotional distress, and damage to his personal and professional reputation in an amount to be

determined at trial.

506. As a result of Defendant's willful actions, they are strictly liable to Plaintiff for their actions.

COUNT VIII
RETALIATION
STRICT LIABILITY IN VIOLATION OF
NEW YORK CITY ADMINISTRATIVE CODE § 8-107(13)(b)

507. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to Count VIII of this complaint.
508. Plaintiff alleges that New York City Administrative Code § 8-107 (13) (b), makes a Defendant strictly liable for the acts of managers and supervisors against a subordinate employee, such as the Plaintiff herein.
509. Plaintiff was subjected to repeated retaliatory acts following the lawful complaints made by Plaintiff regarding race discrimination and by requesting an accommodation.
510. The Defendant was aware of the actions of managers and supervisors but failed to take corrective remedial action which forced Plaintiff to be subjected to future retaliation.
511. The Defendant failed to exercise reasonable diligence to prevent such retaliatory conduct.
512. Plaintiff performed his job duties satisfactorily which is reflected in Plaintiff's stellar performance evaluations. Nevertheless, Defendant denied Plaintiff benefits of employment, including all favorable conditions and emoluments thereof because of Plaintiff's race, created a hostile work environment by the conduct of Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA, without any non-discriminatory basis thereof. The wrongful conduct was condoned by the Defendant CITY OF NEW YORK.
513. Defendant's actions were taken under circumstances giving rise to an inference of

retaliation.

514. The direct and proximate cause of Defendant's recklessness and negligence, Plaintiff was denied a promotion, suffered lost past and future wages, lost other valuable benefits and emoluments of employment, hurt his credit rating, lost career, and business opportunities, suffered severe damage to his good name and reputation, was denied overtime, and endured severe emotional pain and trauma, all to his detriment in an amount to be determined at trial.
515. As a result of Defendants CITY OF NEW YORK, FESTINO, BALDASSANO, ROBINSON, DEYNES, and SCIACCA, willful actions they are strictly liable to Plaintiff for their actions.

COUNT IX

VIOLATION OF NEW YORK LABOR LAW §740 et seq. and New York State Civil Service Law §75 (AGAINST DEFENDNAT CITY)

516. Plaintiff repeats and re-alleges all the allegations contained in all preceding paragraphs of this complaint with full force and effect as though set forth at length herein.
517. The Defendants retaliated against Plaintiff for engaging in protected activity in violation of New York State York Labor§740 et seq. and New York State Civil Service Law §75.
518. Specifically Plaintiff complained about protected activity when he complained about the illegal actions of the several co-workers in his unit.
519. In retaliation for those complaints, Plaintiff was retaliated against.
520. Plaintiff hereby demands compensatory and punitive damages against defendants in an amount to be proven at trial that exceeds the jurisdictional limitations of all lower courts that would otherwise have jurisdiction against each of the defendants, individually and

severally.

COUNT X

NEW YORK CITY ADMINISTRATIVE CODE §8-502

521. Plaintiff re-alleges and incorporates all paragraphs contained herein by reference to Count IX of this complaint.
522. By reason thereof, Defendant has violated New York City Administrative Code §8-502(a), and Plaintiff has been damaged in an amount to be determined at trial

COUNT XI

VIOLATION OF New York State Civil Service Law §75
(AGAINST DEFENDANT CITY)

523. Plaintiff repeats and re-alleges all the allegations contained in all preceding paragraphs of this complaint with full force and effect as though set forth at length herein.
524. The Defendants retaliated against Plaintiff for engaging in protected activity in violation of New York State Civil Service Law §75.
525. Specifically Plaintiff complained about protected activity when he complained about the illegal actions of the several co-workers in his unit.
526. In retaliation for those complaints, Plaintiff was retaliated against.
527. Plaintiff hereby demands compensatory and punitive damages against defendants in an amount to be proven at trial that exceeds the jurisdictional limitations of all lower courts that would otherwise have jurisdiction against each of the defendants, individually and severally.

JURY TRIAL

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

PRAYER FOR RELIEF

