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

STEPHANIE BONADIO,

Plaintiff,

v.

NEW YORK UNIVERSITY and
JAMES STUCKEY,

Defendants.

COMPLAINT

JURY TRIAL DEMANDED

Index no. 12100792

Plaintiff Stephanie Bonadio by her attorneys Outten and Golden LLP, complaining of Defendants, New York University ("NYU") and James Stuckey, alleges as follows:

PRELIMINARY STATEMENT

Bonadio, a director at NYU's School of Continuing and Professional Studies ("SCPS"), was sexually harassed and sexually assaulted by her supervisor, James Stuckey, when he forcibly grabbed her hand and put it on his crotch and erect penis. She promptly reported this occurrence to NYU. Thereafter, NYU withdrew a promotion that had previously been afforded to her and failed to proceed with a promised raise. In addition, she was advised that she had no defined position at NYU. Bonadio has suffered great harm as a result of these occurrences. Her promising career at NYU and her potential as an ambitious young professional woman have been severely and perhaps permanently damaged.

Defendants' actions violate the New York City Human Rights Law, N.Y.C. Admin. Code § 8-107 ("NYCHRL"); and Stuckey's conduct also constitutes assault and battery.

JURISDICTION AND VENUE

1. This court has jurisdiction of the claims which arise under New York law.
2. Venue is proper because Bonadio resides in the state and city of New York.
3. NYU is an employer under the NYCHRL.
4. NYU is licensed to do business and maintains its principal offices in the State and City of New York.

FACTUAL ALLEGATIONS

5. Bonadio was hired by NYU in 2007 as an Assistant Director in the School of Continuing and Professional Studies ("SCPS"). Her starting salary at hire in 2007 was \$55,000. She continued to receive pay raises over the years, and her salary for the 2011-2012 academic year was \$98,400.

6. Stuckey was hired by NYU in 2009 and employed as the dean of the Schack Institute of Real Estate at NYU, a division of the SCPS.

7. Stuckey was Bonadio's supervisor and exercised supervisory authority during all times relevant herein.

8. Stuckey moved many of the men out of his suite of offices at NYU and he filled it with young, attractive women, including Bonadio.

9. Stuckey repeatedly told Bonadio that she was one of his stars, that he would protect her at NYU, and that she should listen and report only to him.

10. Beginning in the spring of 2011, Stuckey told Bonadio that she was promoted to the position Director of Corporate and Executive Education along with an attendant raise. Under Stuckey's supervision, she actually began performing the duties of the new position as well as continuing to perform her former duties.

11. For many months thereafter, Bonadio attempted to regularize her promotion by taking all of the internal steps she understood were necessary, including drafting an official job description and requesting approval of a raise. She repeatedly followed up with Stuckey in order to do so; he repeatedly put her off.

12. On September 23, 2011, following an inconclusive meeting with an NYU human resources director regarding the promotion and raise, Stuckey invited Bonadio to go to dinner with him to discuss the promotion. She accepted his invitation and they went to a restaurant in the NYU neighborhood called The Strip House.

13. Throughout the course of the dinner, Stuckey repeatedly grabbed Bonadio's hand. She repeatedly pulled her hand away. Finally he grabbed her hand and would not let it go and, without her consent, he forcibly placed her hand on his crotch and his erect penis.

14. Bonadio was horrified. She clearly understood the implication of his doing this in the course of discussing her promotion and raise. She did not want to derail her promotion and did not know what to do. She told him she was not that kind of girl but she did not flee. She went with Stuckey to the bar at the Gotham Restaurant across the street and then walked with him to Washington Square where she left him and met her fiancé.

15. On September 26, 2011, Bonadio reported this matter to the head of Human Resources at NYU. NYU subsequently advised Bonadio that it had found a violation of NYU's Non-Discrimination and Anti-Harassment Policy and that NYU would take appropriate action. On information and belief, NYU took no appropriate action.

16. On September 30, 2011, Bonadio received a text message from Robert Krause, and telephone calls from NYU colleagues, stating that Stuckey had resigned from NYU due to health reasons.

17. At a meeting on October 6, 2011, NYU advised Bonadio that her job no longer existed and that there was no specific job at NYU into which she could be placed.

18. Bonadio has suffered severe psychological harm on account of the conduct alleged herein as well as harm to her reputation and her professional prospects. Both Stuckey's and NYU's conduct violates New York University's Sexual Assault, Harassment and Other forms of Sexual Misconduct Policy 2011-2012, as well as its Non-Discrimination and Anti-Harassment Policy.

19. NYU's conduct was willful and wanton and in conscious and deliberate disregard of Bonadio's interests.

20. Stuckey's conduct was willful and wanton and in conscious and deliberate disregard of Bonadio's interests.

FIRST CAUSE OF ACTION

As to NYU: Sexual Harassment under NYCHRL

1. Plaintiff realleges and incorporates by reference all allegations in all preceding paragraphs.

2. NYU discriminated against Plaintiff by subjecting her to a sexually discriminatory, hostile and intimidating work environment that resulted in an adverse employment action, in violation of the N.Y.C. Admin. Code § 8-107.

3. As a result of NYU's conduct, Plaintiff has suffered economic and compensatory harm and is entitled to recovery of such amounts, as well as punitive damages, attorneys' fees and costs, and other compensation pursuant to N.Y.C. Admin. Code § 8-502(a).

SECOND CAUSE OF ACTION
As to NYU: Retaliation under NYCHRL

4. Plaintiff realleges and incorporates by reference all allegations in all preceding paragraphs.

5. NYU retaliated against Plaintiff for engaging in protected activity.

6. As a result of NYU's conduct, Plaintiff has suffered economic and compensatory harm and is entitled to recovery of such amounts, as well as punitive damages, attorneys' fees and costs, and other compensation pursuant to N.Y.C. Admin. Code § 8-502(a).

THIRD CAUSE OF ACTION
As to Stuckey: Sexual Harassment under NYCHRL

7. Plaintiff realleges and incorporates by reference all allegations in all preceding paragraphs.

8. Stuckey is individually liable under the City Administrative Law, N.Y.C. Admin. Code §§ 8-107(1)(a) and (6).

9. As a result of Stuckey's conduct, Plaintiff has suffered economic and compensatory harm and is entitled to recovery of such amounts, as well as punitive damages, attorneys' fees and costs, and other compensation pursuant to N.Y.C. Admin. Code § 8-502(a).

FOURTH CAUSE OF ACTION
As to Stuckey: Assault and Battery under State Tort Law

10. Plaintiff realleges and incorporates by reference all allegations in all preceding paragraphs.

11. Stuckey physically assaulted Plaintiff and committed a battery upon her.

12. As a result of Stuckey's conduct, Plaintiff has suffered compensatory harm and is entitled to recovery of such amounts, as well as punitive damages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests the following relief:

(a) Issuance of a declaratory judgment that the acts and practices complained of herein are in violation of the NYCHRL;

(b) An injunction permanently restraining these violations of the NYCHRL;

(c) An injunction directing Defendant NYU to place Plaintiff in the position she would be in but for Defendants' discriminatory and retaliatory treatment of her, and to make her whole for reputational damage and all earnings she would have received but for Defendants' discriminatory and retaliatory treatment, including, but not limited to, wages, bonuses, equity interests, pension and other lost benefits;

(d) Damages related to Plaintiff's loss of compensation and her emotional suffering and distress caused by Defendants' actions pursuant to the NYCHRL;

(e) Punitive damages;

(l) Pre-judgment interest;

(m) An award to Plaintiff of her reasonable attorneys' fees and costs; and

(n) All such other and further relief as the Court deems necessary and proper.

DEMAND FOR TRIAL BY JURY

Bonadio hereby demands a trial by jury.

Dated: January 25, 2012

Respectfully submitted,

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