

given them prior notice of her absence and the reason for it.

2. Defendants' acts violated the New York City Human Rights Law, N.Y.C. Admin. Code § 8-107 *et seq.*, and New York State Penal Law, N.Y. C.L.S. Penal § 215.14.

3. Giannakos seeks declaratory and injunctive relief, compensatory and punitive damages, attorneys' fees and costs, and other legal and equitable relief.

JURISDICTION AND VENUE

4. This Court has jurisdiction over this matter pursuant to N.Y.C. Admin. Code § 8-502. This Court has jurisdiction over defendants pursuant to C.P.L.R. §§ 301 and 302. Venue is proper in this Court pursuant to C.P.L.R. § 503(a) and (c) because upon information and belief, [REDACTED] is the county of residence and the principal place of business of one or more Defendants.

PARTIES

5. Plaintiff Vasiliki Giannakos ("Plaintiff" or Giannakos) at all times relevant to this action resided in and currently resides in New York, New York, and was an employee of [REDACTED] from on or about February 14, 2007 to on or about February 23, 2007.

6. Giannakos at all relevant times was a victim of domestic violence within the meaning of N.Y.C. Admin Code § 8-107.1.

7. Defendant [REDACTED] is a limited liability corporation doing business under the laws of the State of [REDACTED]. Upon information and belief, it maintains its principal place of business in [REDACTED]. Defendant [REDACTED] is, and was at all times pertinent to this action, an "employer" within the meaning of N.Y.C. Admin. Code § 8-102.

8. Defendant [REDACTED] is a limited liability corporation doing business under the laws of the State of [REDACTED]. Upon information and belief, it maintains its principal place of business in [REDACTED]. Upon information and belief, Defendant [REDACTED] [REDACTED]. Defendant [REDACTED] is, and was at all times pertinent to this action, an “employer” within the meaning of N.Y.C. Admin. Code § 8-102.

9. Defendant [REDACTED] is a limited liability corporation doing business under the laws of the State of [REDACTED]. Upon information and belief, it maintains its principal place of business in [REDACTED]. Upon information and belief, Defendant [REDACTED] [REDACTED]. Upon information and belief, Defendant [REDACTED] is, and was at all times pertinent to this action, an “employer” within the meaning of N.Y.C. Admin. Code § 8-102.

10. Defendant [REDACTED] [REDACTED]. Upon information and belief, he maintains his principal place of business in [REDACTED].

11. Defendant [REDACTED] [REDACTED]. Upon information and belief, she maintains her principal place of business in [REDACTED] [REDACTED].

FACTS

12. In January 2007, Giannakos applied for a job as an administrative assistant to Defendant [REDACTED]. In addition to interviewing with [REDACTED] of [REDACTED], Giannakos also interviewed with [REDACTED].

13. On February 12, 2007, [REDACTED] offered Giannakos a position as an administrative assistant to [REDACTED] at [REDACTED]. Giannakos began work on February 14, 2007, with a salary of \$30,000, plus benefits after 6 months.

14. Giannakos worked with [REDACTED]. She was a diligent employee, coming in the weekend after beginning work to receive training at [REDACTED] and on President's Day, February 19, 2007, to help with projects.

15. On the night of Wednesday, February 21, 2007, Giannakos was assaulted by her boyfriend, with whom she was cohabiting. Her boyfriend assaulted Giannakos by smashing her cell phone into her face, breaking the phone and causing serious injuries to Giannakos' face.

16. Giannakos immediately reported the assault to the police and went to a police station shortly thereafter. After filing a police report, she was taken by ambulance to St. Vincent's Hospital in Manhattan for medical assistance. She was accompanied by her godparents, Paul Kipriadis and Theresa Gretsas.

17. At approximately 7 a.m. on Thursday, February 22, 2007, while she was still in the hospital being treated for her injuries from the night before, Giannakos called [REDACTED] of [REDACTED] using her godmother's cell phone. Giannakos informed [REDACTED] that she had been assaulted, her phone had been destroyed in the assault, and she was at the hospital waiting for

medical assistance. [REDACTED] indicated that she would call [REDACTED] Giannakos's supervisor, and relay that information.

18. After returning home from the hospital later that day, Giannakos notified Defendants that she had been the victim of domestic violence by calling [REDACTED] and explaining that she had been assaulted by her boyfriend. Giannakos also informed [REDACTED] that she had obtained a protective order, and notified [REDACTED] that she could not be at work the following day because of the domestic violence. Specifically, Giannakos told [REDACTED] that she was meeting with an Assistant District Attorney ("ADA") the following day to assist in prosecuting her boyfriend. Giannakos also called [REDACTED] and provided the same information, and gave both [REDACTED] and [REDACTED] her godmother's telephone numbers as her temporary contact information.

19. On the morning of Friday, February 23, 2007, Giannakos called [REDACTED] and [REDACTED]. At that time, they expressed concern for her well-being and assured her that she was an excellent employee with a bright future.

20. Later on Friday, February 23, 2007, while Giannakos was meeting ADA John Lenzner at his office, she received a call from [REDACTED], a [REDACTED]. [REDACTED] informed Giannakos that because of her brief absence, her employment had been terminated.

21. Upon information and belief, before [REDACTED] told Giannakos that her employment had been terminated, he knew that Giannakos was absent from work on February 22, 2007 because she was a victim of domestic violence and that she was absent from work on February 23, 2007 because she was meeting with a prosecutor to pursue charges arising from the violence.

22. Immediately after speaking to [REDACTED], Giannakos informed ADA Lenzner that her employment had just been terminated. ADA Lenzner called [REDACTED] to advise him that terminating the employment of a crime victim such as Giannakos for taking time from work to meet with an ADA violated New York State law. Upon information and belief, [REDACTED] nevertheless responded that he was standing by his decision to discharge Giannakos.

23. Giannakos' termination violated New York State Penal Law § 215.14, which prohibits an employer from discharging an employee who is a victim of a crime for an absence, when the employee notifies the employer in advance that she will be absent from work to consult with the district attorney.

24. Giannakos requested and was denied a reasonable accommodation needed because of domestic violence, namely, two days leave from her job to secure medical treatment and to cooperate with prosecution of the domestic violence assault.

25. If Defendants had granted Giannakos the two days leave she needed as a reasonable accommodation, it would have enabled Giannakos to satisfy the essential requisites of her job by returning to work on Monday, February 26, 2007. In fact, when Giannakos spoke to [REDACTED] on February 22, prior to her termination, Giannakos offered to reschedule an appointment with a plastic surgeon that had been made for the following Monday, February 26, so that she could return to work on February 26.

FIRST CAUSE OF ACTION
**(Employment Discrimination Against a Victim of Domestic Violence
in Violation of New York City Human Rights Law)**

26. Plaintiff hereby repeats and reincorporates by reference each and every allegation in paragraphs 1 through 25, inclusive, as if fully set forth herein.

27. Defendants unlawfully discriminated against Plaintiff because of her status as a victim of domestic violence in violation of the New York City Human Rights Law, N.Y.C. Admin. Code §§ 8-107.1(1) and 8-107.1(2).

28. Defendants engaged in such discriminatory conduct intentionally and maliciously, and showed a deliberate, willful, wanton and reckless disregard of Plaintiff and her rights under the New York City Human Rights Law.

29. As a direct and proximate result of Defendants' unlawful discriminatory actions, Plaintiff has suffered damages and injury, including emotional distress.

SECOND CAUSE OF ACTION
**(Failure to Provide Reasonable Accommodation to a Victim of Domestic Violence
in Violation of New York City Human Rights Law)**

30. Plaintiff hereby repeats and reincorporates by reference each and every allegation in paragraphs 1 through 25, inclusive, as if fully set forth herein.

31. Defendants violated the New York City Human Rights Law, N.Y.C. Admin. Code § 8-107.1(3), by failing to provide Plaintiff, a victim of domestic violence, with a reasonable accommodation requested by Plaintiff.

32. Defendants engaged in such unlawful conduct intentionally and maliciously, and showed a deliberate, willful, wanton and reckless disregard of Plaintiff and her rights under the New York City Human Rights Law.

33. As a direct and proximate result of Defendants' unlawful actions, Plaintiff has suffered damages and injury, including emotional distress.

THIRD CAUSE OF ACTION
(Aiding and Abetting in Violation of New York City Human Rights Law)

34. Plaintiff hereby repeats and incorporates by reference each and every allegation in paragraphs 1 through 25, inclusive, as if fully set forth herein.

35. Defendants [REDACTED] and [REDACTED] aided and abetted each other and Defendants [REDACTED] in their discrimination against and failure to provide reasonable accommodations for Plaintiff, a victim of domestic violence, in violation of the New York City Human Rights Law, N.Y.C. Admin. Code § 8-107(6).

36. Defendants [REDACTED] [REDACTED] engaged in such unlawful aiding and abetting intentionally and maliciously, and showed a deliberate, willful, wanton and reckless disregard of Plaintiff and her rights under the New York City Human Rights Law.

37. As a direct and proximate result of Defendants [REDACTED] [REDACTED]'s unlawful aiding and abetting, Plaintiff has suffered damages and injury, including emotional distress.

FOURTH CAUSE OF ACTION
(Wrongful Discharge in Violation of New York State Penal Law)

38. Plaintiff hereby repeats and incorporates by reference each and every allegation in paragraphs 1 through 25, inclusive, as if fully set forth herein.

39. Defendants violated New York State Penal Law, N.Y. C.L.S. Penal § 215.14, by wrongfully discharging Plaintiff, a victim of crime, for being absent from work to meet with an assistant district attorney regarding the prosecution of her attacker, after Plaintiff had notified Defendants that she would be absent and the reason for her absence prior to the day of her meeting with the assistant district attorney.

40. Defendants engaged in such unlawful conduct intentionally and maliciously, and showed a deliberate, willful, wanton and reckless disregard of Plaintiff and her rights under New York State law.

41. As a direct and proximate result of Defendants' unlawful actions, Plaintiff has suffered damages and injury, including emotional distress.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that the Court enter judgment in her favor and against Defendants, and grant the following relief:

A. A declaratory judgment that the actions, conduct, and practices of Defendants complained of herein violate the laws of the City and State of New York;

B. An injunction and order permanently restraining Defendants from engaging in such unlawful conduct;

C. An order directing that Defendants, in cooperation with Plaintiff and her counsel, develop a training for all managers and employees at [REDACTED] [REDACTED] regarding domestic violence, safety and non-discrimination in the workplace, and implement a comprehensive policy about domestic violence and the workplace;

D. An award of damages in an amount to be determined at trial, plus prejudgment interest, to compensate Plaintiff for all monetary and/or economic damages, including but not limited to, the loss of past and future income, wages, compensation, seniority, and other benefits of employment;

E. An award of damages in an amount to be determined at trial, plus prejudgment interest, to compensate Plaintiff for all non-monetary damages, including but not limited to, compensation for her severe mental anguish and emotional distress, including but not limited to humiliation, embarrassment, stress, anxiety, loss of self-esteem, self-confidence and personal dignity, and emotional pain and suffering, and any other physical and mental injuries;

- F. An award of punitive damages in an amount to be determined at trial;
- G. An award of attorneys' fees, and costs and expenses incurred in the prosecution of the action, and;
- H. Such other and further relief as the Court may deem just and proper.

JURY DEMAND

Plaintiff hereby demands a trial by jury on all issues of facts and damages stated herein.

LEGAL MOMENTUM

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Dated: October 19, 2007