

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

-----X
LORNA BEACH-MATHURA,

Index No.: 952335/2023

Plaintiff,

COMPLAINT

-against -

Jury Trial Demanded

**ERIC ADAMS, CITY OF NEW YORK,
TRANSIT BUREAU OF THE NEW YORK POLICE
DEPARTMENT (f/k/a. NEW YORK TRANSIT POLICE
DEPARTMENT), NEW YORK POLICE
DEPARTMENT GUARDIANS ASSOCIATION,
UNKNOWN ENTITY XYZ-1,
UNKNOWN ENTITY XYZ-2, and
UNKNOWN ENTITY XYZ-3,**

Defendants.
-----X

Plaintiff Lorna Beach-Mathura (“Plaintiff”) by her attorneys Goddard Law PLLC, whose offices are located at 39 Broadway, Suite 1540, New York, New York 10006, alleges upon knowledge with respect to herself, and upon information and belief as to all other matters, as follows:

1. This action is brought by Plaintiff under the Adult Survivors Act, CPLR 214-j, as a result of sexual assault perpetrated by the current Mayor of the City of New York, Eric Adams (“Defendant Adams”). Defendant Adams claimed he would assist Plaintiff with an employment issue, only instead to drive her to a vacant lot and request oral sex from her. When she refused, Defendant Adams forcibly pushed Plaintiff’s hand onto his erect penis, and then, after she removed her hand, masturbated himself to completion and ejaculated on her.

2. In 1993, as an employee of the Transit Bureau of the New York Police Department (“Defendant Transit Bureau”), Plaintiff sought help from Defendant Adams, in his capacity as a

leader in the Transit Bureau New York Police Department (“NYPD”) Guardians Association (“Defendant Guardians”), a fraternal organization formed to fight for the rights of Black employees, and in his capacity as a Police Officer.

3. Plaintiff had repeatedly been passed over for a promotion and, encountering the resistance all-too-frequently faced by Black and female NYPD and Defendant Transit Bureau employees in that era, she asked Defendant Adams for help because he had held himself out to be an advocate for equality and fair treatment for Black employees.

4. Instead of helping Plaintiff get fair treatment at Defendant Transit Bureau, Defendant Adams preyed on her perceived vulnerability, demanding a *quid pro quo* sexual favor and sexually assaulting Plaintiff, revealing himself not to be the “Guardian” he purported to be, but a predator.

5. The effects of that sexual assault, betrayal, and astonishing abuse of power, continue to haunt Plaintiff to this day.

6. Plaintiff knew that there was no way for her, a divorced mother of young children, to safely report Defendant Adams through official channels if she wanted to keep her job.

7. However, Plaintiff was not willing to keep quiet and, over the years, has an established track record of flagging concerns over Defendant Adams’ unethical, illegal attack on her.

8. When Defendant Adams went on to run for and become the Mayor of New York City, his comments continued to strike Plaintiff as hypocritical and sanctimonious. That is why, in the fall of 2023, when Plaintiff learned that New York had passed a law allowing survivors of sexual assault to come forward many years later, she felt obligated to bring Defendant Adams’ behavior to light.

9. As is set forth more fully below, Plaintiff alleges sexual assault, battery, infliction of emotional distress, gender discrimination, retaliation, and sexual harassment under the New York City and New York State Human Rights Laws, and seeks damages, compensatory and punitive, and commensurate with the life-altering impact of what she experienced at the hands of Defendant Adams.

Parties, Jurisdiction, and Venue

10. Plaintiff Lorna Beach-Mathura (formally Lorna Beach) is a Black woman and a resident of Florida.

11. During the relevant time period, Plaintiff resided in Coney Island, New York, and was employed by Defendant City of New York (“Defendant NYC”) in the Defendant Transit Bureau which was known as the New York Transit Police Department but, upon information and belief, has since become a part of the NYPD. Defendant Transit Bureau has multiple offices throughout Defendant NYC, but on information and belief, currently has headquarters at One Police Plaza, Police Plaza Path, New York, New York 10038.

12. During her employment at Defendant Transit Bureau, Plaintiff became a member of Defendant Guardians.

13. Defendant Adams was at all relevant times a New York resident and an employee of Defendant NYC in Defendant Transit Bureau.

14. At all relevant times, Defendant Adams was a high-ranking official of Defendant Guardians.

15. Defendant Adams had influence over Plaintiff’s terms and conditions of employment as an official within the Defendant Guardians.

16. Defendant NYC is a municipal corporation organized and existing under, and by virtue of, the laws of the State of New York. The Corporation Counsel of the Defendant NYC is

currently Sylvia Hinds-Radix. The main office of the Corporation Counsel is located at 100 Church Street, New York, New York, 10007. The Office of the New York City Comptroller is located at One Centre Street, Room 1225, New York, New York 10007.

17. At all relevant times, Defendant NYC had the ability to affect the terms and conditions of Plaintiff's employment, including, but not limited to, the ability to affect her pay rate, promotions, and termination of employment.

18. At all relevant times, Defendant NYC was Plaintiff's "employer" under all applicable laws.

19. At all relevant times, Plaintiff was Defendant NYC's "employee" under all applicable laws.

20. At all relevant times, Defendant Transit Bureau had the ability to affect the terms and conditions of Plaintiff's employment, including, but not limited to, the ability to affect her pay rate, promotions, and termination of employment.

21. At all relevant times, Defendant Transit Bureau was Plaintiff's "employer" under all applicable laws.

22. At all relevant times, Plaintiff was Defendant Transit Bureau's "employee" under all applicable laws.

23. At all times relevant, upon information and belief, Defendant Guardians was the official fraternal organization of the Defendant Transit Bureau¹ representing "African American Members of Service and Civilian Members of Service." Defendant Guardians is registered in the State of New York as a domestic not-for-profit corporation. On information and belief, Defendant Guardians is headquartered at 228 W. 114th St. #20, New York, New York 10026.

¹ On information and belief, the Transit Bureau Guardians Associated and NYPD Guardians Association merged in or around the same time as Defendant Transit Bureau the NYPD.

24. At all relevant times, Defendant Guardians was a public accommodation under all relevant laws.

25. Defendant Guardians was a place of public accommodation as a provider of advantages or privileges and/or services the New York City Human Rights Law (“NYCHRL”), N.Y.C. Admin. Code § 8-101, *et seq.*, and a place of public accommodation under the New York State Human Rights Law (“NYSHRL”), N.Y. Exec. Law § 292, *et seq.*

26. At all relevant times, Plaintiff was a member of Defendant Guardians and Defendant Guardians had the ability to influence the terms and conditions of Plaintiff’s employment through its advocacy, or lack thereof.

27. The unknown entities XYZ 1-3 are any for-profit or not-for-profit entities responsible under the law for acts complained of herein. Plaintiff will amend her Complaint to name these defendants upon discovery of their identity during this litigation.

28. Jurisdiction and Venue are proper because New York County is the county in which a substantial part of the acts or omissions giving rise to the claims occurred.

SUMMARY OF FACTS

Plaintiff Is Hired by Defendant Transit Bureau as One of the Only Black Female Civilian Employees

29. In or about the Spring of 1980, Plaintiff passed the New York City Police Administrative Aide Examination and, in or about November 1980, she was appointed as a Police Administrative Aide for Defendant Transit Bureau. After training at Defendant Transit Bureau and the NYC Transit Police Academy, she was assigned to Central Records in Brooklyn in early 1981.

30. In or about July of 1981, she was assigned to Defendant Transit Bureau District 34 on Coney Island, where she worked from approximately July 1981 to early 1986. Her Police Administrative Aide duties included taking incident reports (TP-67s), typing reports, filing,

determining offenses under the New York Penal Code, answering the phone, assigning subway posts and patrol cars to District 34 police officers, handing out police radios, charging police radios, and occasionally doing roll call of police officers at the request of sergeants and lieutenants.

Plaintiff Endures a Work Environment Rife with Sexual Harassment and Racism

31. In the 1980s, female NYPD and Defendant Transit Bureau employees were openly subjected to a sexually hostile work environment. Additionally, Plaintiff, like other Black employees, routinely experienced racism. Plaintiff routinely observed other Black and female employees being subjected to sexual harassment and disparate treatment and being unfairly passed over for promotions.

32. Despite the hostile work environment, Plaintiff had dreams of excelling at Defendant Transit Bureau and was determined to advance. Accordingly, she endured the pervasive discrimination and harassment.

33. According to the 1984 NYPD Annual Report, even after the NYPD aggressively began recruiting members of minority communities to become police officers, Black officers made up just 10.2 percent of NYPD uniformed officers, and female officers just 7.8 percent.² Upon information and belief, the relatively few female, Black, civilian employees within Defendant Transit Bureau enjoyed even less privilege than Black and female officers.

Defendant Adams Has Been an Outspoken Critic of Racism Within the Police Department—and the Retaliation Faced by Employees Who Complained

34. It was widely known within the NYPD and the Defendant Transit Bureau that reporting or objecting to unlawful behavior could result in retaliation. In fact, Defendant Adams explained that employees who complained often experienced “repercussions,” including “being

² “Police Department City of New York Annual Report 1984,” <https://www.ojp.gov/pdffiles1/Digitization/121490NCJRS.pdf> (last visited March 16, 2024).

physically attacked, it could be losing [their] job, it could be brought up on department charges, it could be getting a less than desirable assignment,” such as assigning a Bronx resident “an assignment on Coney Island.”³ According to Defendant Adams, “The departments, all the law enforcement agencies, had a way of addressing the issues the way they wanted to of keeping people in line.”⁴ Defendant Adams continued that “You have to understand the mindset of the Police Department. You don’t challenge authority when you’re in the Police Department.”⁵ Plaintiff had personally experienced said “repercussions” when she, a Black woman, had the nerve to object to white employees smoking at work while Plaintiff was pregnant, when she rejected sexual advancements at the station, and when she complained about disparate treatment. In retaliation for speaking up, Plaintiff was repeatedly passed over for promotions, denied promotions for which she was qualified and to which she was entitled and given less desirable assignments with lengthy commutes.⁶

35. According to Defendant Adams, similar discrimination and retaliation happened to him from the very beginning of his career. For example, he says he should have graduated first in his class but instead graduated second and that when he asked why a white employee with a score lower than his was named first in their graduating class, Defendant Adams says he was told, “Welcome to the Police Department. Don’t make waves.”⁷

³ “Guardian’s Oral History Project, the Reminiscences of Eric Adams,” Liz H. Strong (April 22, 2015, and June 11, 2015), New York Police Department Guardians Oral History Collection, *Columbia Center for Oral History*.

⁴ *Id.*

⁵ *Id.*

⁶ In time, that pattern of retaliation would lead Plaintiff to conclude that it would be fruitless to complain about Defendant Adams’ conduct through official channels.

⁷ See FN 1.

**Plaintiff Is Recruited to Be a Member of the
Guardians, Who Offer to Help Protect Black Employees**

36. Defendant Guardians routinely criticized the NYPD and Defendant Transit Bureau for racist behaviors and a racist environment and demanded change.

37. Defendant Guardians heavily recruited Plaintiff and other Black employees to be members of Defendant Guardians by promising to help them fight for equal treatment.

38. Although Plaintiff was living on her own with very little money to spare for membership dues, Plaintiff decided that the cost of the dues was well worth it to have a “Guardian” to ensure she and other Black employees were treated fairly at work.

39. After becoming a Guardian, Plaintiff saw Defendant Adams speak on at least one occasion during a Guardian’s meeting. She found his support for the Black community within the NYPD and the Defendant Transit Bureau inspiring.

**Plaintiff Passes Promotional Exams,
But is Passed Over for Promotions Due to Discrimination**

40. During her career with the Defendant Transit Bureau, Plaintiff took and passed promotional examinations to qualify her for promotions to more senior roles. Despite her high scores, others with lower scores were promoted ahead of her due to the discriminatory nature of the Defendant Transit Bureau at the time.⁸

41. The first time this happened in 1984, she was passed over for a deserved promotion in District 34, where she had been working and which was within a short walking distance from her home.

⁸ “Transit Police Reorganize Management,” Robert D. McFadden, January 18, 1993, *The New York Times*, <https://www.nytimes.com/1993/01/18/nyregion/transit-police-reorganize-management.html> (last visited March 7, 2024). The article reported “persistent charges of racial friction, inadequate training and misconduct by some of its top officials” at the Defendant Transit Bureau. The article reported that under the reorganization, an official recently accused of sexual harassment was relieved as the commander of the department’s inspectional services and internal affairs investigations. But the department’s “top [B]lack official, who had been reprimanded recently for showing X-rated movies to visiting Russian officials in 1991, was given command of all patrol and detective services.”

42. When Plaintiff was finally promoted, she was shocked and dismayed to learn that she had been reassigned to District 2 in Lower Manhattan, which was over an hour's commute from her home. Upon information and belief, Plaintiff's promotion came with a punishment.

43. In or about May 1992, while on maternity leave, Plaintiff passed another test which made her eligible for a promotion to the Principal Administrative Aide 1 ("PAA1") and was told she was "next in line." In fact, Plaintiff was told that her score was significantly higher than many of the other candidates who had only made the passing list when the NYPD and/or Defendant Transit Bureau lowered the passing curved score, since so many Police Administrative Assistants had failed. Plaintiff passed the test before the curve was lowered.

44. When Plaintiff returned to work, there was an open PAA1 position, but Plaintiff was once again passed over despite being told that she was "next in line." Upon information and belief, an employee with a significantly lower test score was promoted over Plaintiff. Upon information and belief, Plaintiff was passed over due to the well-known, discriminatory and retaliatory hostile environment of the time.

Plaintiff Goes to Transit Police Personnel to Complain About Being Passed Over

45. Plaintiff was so frustrated at being passed over for her promotion that she traveled to Defendant Transit Bureau's Personnel Office at 370 Jay Street, Brooklyn, to object to being passed over for her promotion and to ask for an explanation.

46. She spoke to a Lieutenant there and explained that she had been passed over for someone less qualified. She told the Lieutenant that it was not fair that she had not been promoted and asked what she had to do to get her rightful promotion.

47. The Lieutenant was unhelpful and told Plaintiff that she should transfer to a different City department if she wanted a promotion—effectively seeming to shut down her hopes for advancement at Defendant Transit Bureau.

Plaintiff Bumps into Then-Guardian Leader Defendant Adams, and Asks for Help With a Promotion

48. Not long thereafter, Plaintiff ran into Defendant Adams, whom she had not seen in some time but whom she knew from work and from the Guardians.

49. Defendant Adams expressed happiness to see Plaintiff and they chatted amicably.

50. During their conversation, Plaintiff realized that perhaps the Guardians could help her. Plaintiff turned the conversation to work and confided that she was deliberately passed over for promotion, that no one would do anything about it, and that she was warned that she would have to change departments if she wanted to be promoted. She told him that she had complained to no avail to Defendant Transit Bureau's Personnel Office. She also told him that the last time she fought for a promotion that she had earned, she had been assigned to District 2 even though she lived so close to District 34 and that she thought it was punishment.

Guardian Leader Defendant Adams Orchestrates an Opportunistic Situation under the Guise of Helping Plaintiff Get Her Promotion

51. Plaintiff asked Defendant Adams if Defendant Guardians and he could help her get her promotion.

52. Defendant Adams told Plaintiff he could help her and offered to pick her up from work that evening and drive her home to Coney Island so that they could talk about getting her a promotion.

53. Plaintiff, who was so frustrated with the way that Black and female employees were treated, was incredibly hopeful that Defendant Adams and the Guardians would help her.

54. Plaintiff got out of work that evening at approximately 7:00 pm and met Defendant Adams where he told her to meet him outside of the subway station where she was assigned to work.

55. Defendant Adams invited her to get into the passenger side of his car, which appeared to be an official police issued car, and she did.

56. Although Defendant Adams was dressed in civilian clothes, including a jacket and a tie at the time, and not a police uniform, he represented to Plaintiff that he was on duty.

Guardian Leader and Police Officer Defendant Adams Drives Plaintiff to a Remote Vacant Lot on the Hudson River

57. Defendant Adams began driving and Plaintiff quickly realized that, to her great discomfort, he was driving north and was **not** driving towards Coney Island as he had promised to do. Instead, he drove towards the Hudson River. Plaintiff asked Defendant Adams why he was going in the opposite direction, and he responded that he wanted “to have time” to talk with her.

58. Shortly after, Defendant Adams pulled into a remote, vacant lot and drove in, away from the street.

59. Plaintiff grew nervous and scared as she realized what a dangerous situation she was in. She tried to assure herself that Defendant Adams was a police officer and a high-ranking member of the Guardians who was there to help her, but her anxiety remained.

60. As he was parking the car, Plaintiff grew even more alarmed and asked Defendant Adams why he was parking the car. Defendant Adams responded that he “wanted to concentrate” on what Plaintiff had to say and that he did not want to be “distracted” by driving.

61. Though it was dark outside, and the vacant lot did not have any streetlights, Plaintiff was still able to see inside the car from the ambient New York City light.

Defendant Adams Demands a *Quid Pro Quo* Sexual Favor from Plaintiff as a Pre-Requisite to Helping Her Get Her Unduly Delayed Promotion

62. After he parked his car, Defendant Adams asked Plaintiff to tell him again what she needed help with. Plaintiff again explained that she had passed the PAA1 test, even without the lowered curve, but had still been passed over for someone less qualified and that, when she went to complain about it, she was told she would have to transfer to a different department if she wanted a promotion.

63. In response, Defendant Adams told Plaintiff that he thought he could help her but that he “also needed some help” and began rubbing his penis through his clothes with his hand. Plaintiff was horrified and terrified to realize that Defendant Adams had an erection.

64. Defendant Adams then said, in no uncertain terms, that he would help her but that he also needed a favor. He told her that he “needed a blow job” from her. While repeatedly cajoling, demanding, and begging Plaintiff for oral sex, Defendant Adams unzipped his pants and pulled out his erect penis.

Police Officer Defendant Adams Forces Plaintiff’s Hand onto His Penis

65. Plaintiff was sickened and outraged that a man who presented himself as an advocate for justice and equality—a man who held himself out to be a “Guardian” of other Black employees—would trap a Black woman in his car in a remote lot and demand sexual favors as a prerequisite to helping her obtain fair treatment at work.

66. Defendant Adams revealed himself to be so hypocritical and so corrupt that Plaintiff feared that she would be raped, but she tried to remain calm.

67. After she repeatedly and adamantly refused Defendant Adams’ demand for sexual favors, he assaulted Plaintiff by grabbing her hand and placing it on his exposed, erect penis. He then told her to “Give [him] a hand job.”

68. Plaintiff, stunned to find herself trapped in a car with Defendant Adams in an abandoned lot, was terrified. She did not know what to do, but she knew that she did not want to be forced into a sexual encounter with Defendant Adams. Though she realized that denying Defendant Adams' *quid pro quo* demands for sexual favors was likely to create even more work problems for her, Plaintiff found the courage to forcefully refuse him.

69. She grabbed her hand away from Defendant Adams' penis and out of his hands and repeatedly said "NO" to him.

70. After Plaintiff pulled her hand away and said, "No," Defendant Adams continued to masturbate himself.

71. Plaintiff was frightened not only due to Defendant Adams' appalling conduct, but also because she knew that he, as a police officer, had at least one loaded gun in the car.

72. Plaintiff sat in stunned silence and fear as she wondered what else would happen to her in Defendant Adams' car, in an empty, dark lot.

73. Defendant Adams continued to masturbate and eventually ejaculated, leaving his semen on Plaintiff's thigh and stocking. Although repulsed by being forced to witness his masturbation and from being forced to touch his penis, Plaintiff was relieved when he zipped up his pants and started the car.

**Defendant Adams Drops Plaintiff off at the
Nearest Subway Station, which Does Not Go to Coney Island**

74. Defendant Adams gruffly informed Plaintiff that he had to get back to work. It was clear that he was angry at her for refusing his sexual demands.

75. Defendant Adams bluntly told Plaintiff he would drop her off at the "nearest subway," which happened to be the Chambers Street Subway Station, which Defendant Adams and Plaintiff both knew did not go to Coney Island, where he had been supposed to drive her.

However, Plaintiff had no power to object to where he dropped her and just wanted to get away from him.

76. Plaintiff, still in shock over what happened and scared that she would now have a target on her back, rushed out of the car the moment it was safely stopped at the Chambers Street Subway Station.

**Plaintiff Fears Reporting Adams
Due to Rampant and Notorious Retaliation within the NYPD and Transit Bureau**

77. Although Plaintiff tearfully informed friends, including a prior boss that she remained close to, about Defendant Adams' sexual assault against her, Plaintiff did not formally report Defendant Adams at the time because she so greatly feared further retaliation from all of the Defendants.

Plaintiff's Rightful Promotion Continues to be Denied

78. After Defendant Adams' sexual assault and *quid pro quo* demands, Plaintiff was repeatedly denied her rightful promotion.

79. Although she continued to ask for her promotion, Plaintiff felt defeated and terrified, and feared running into Defendant Adams again on a daily basis.

80. Plaintiff returned to work at District 2 and continued to fight for her promotion. Each time she walked through the subway station where District 2 was located, she feared running into Defendant Adams again.

**Plaintiff Is Finally "Promoted" to the Probation
Department but She Is Demoted to a Non-Supervisory Position**

81. In or about March of 1994, almost two years after she passed the promotional exam, Plaintiff was finally promoted to PAA1.

82. Although she had finally received her promotion in title, Plaintiff was forced to transfer to the Department of Probation, which caused her to lose her seniority and placed in a non-

supervisory position. Her work duties were severely downgraded, and she was essentially assigned the work of a receptionist and typist. Plaintiff did not actually supervise any employees.

83. Because Defendant Adams had preyed on her the last time she went to the Guardians for help, Plaintiff had no one to complain to or go to for help about the issues with her lackluster promotion. Indeed, her failure to acquiesce to Defendant Adams' *quid pro quo* demands seemed to have led to the transfer. Upon information and belief, had Plaintiff caved to Defendant Adams' *quid pro quo* demands and given him a "blow job" or other sexual favors, Defendant Guardians would have helped her, and she would not have been transferred.

Plaintiff's Role Is Terminated Shortly after Defendant Adams' Sexual Assault on Her

84. Within a few months of her promotion, Plaintiff's supervisor told Plaintiff that thousands of city employees were being laid off. Plaintiff was told, if she did not accept a severance package, she would be fired or laid off indefinitely since she had no seniority within the Probation Department.

85. Upon information and belief, Plaintiff was transferred to the Probation Department so that she would lose her seniority and be forced to quit or be fired.

86. Upon information and belief, not only did Defendant Adams not help her get her rightful promotion when she asked him to do so as a Guardian, he made sure that she lost her Seniority by transferring to another department where she was likely to lose her job in retaliation for refusing his *quid pro quo* sexual demands.

Plaintiff Informs Various Sources about Defendant Adams Sexual Assault of Her

87. After she was forced out of her job, Plaintiff moved to Florida. Over the years, she told numerous people, including other current and former NYPD and Defendant Transit Bureau employees, about how Defendant Adams sexually assaulted her when she went to him for help because of his role in the Guardians.

88. Plaintiff also told her daughters, after they had grown, about Defendant Adams' sexual assault on her so they would be aware of the sad fact of life that sometimes people you trust and say that they are there to help you may actually use their power to harm you.

89. News eventually reached Plaintiff that Defendant Adams was running for Mayor of Defendant NYC. Plaintiff was appalled that her sexual assaulter had become so powerful and that he might become even more so.

90. Plaintiff was especially sickened by his campaign platform in which he portrayed himself as a "law and order" candidate and bragged about his career as a police officer.

Plaintiff Becomes Even More Disgusted when She Learns about Defendant Adams' 1993 Smear Campaign on a Female Officer

91. Plaintiff was forced to watch as Defendant Adams rose in power, and she became more and more disgusted by the things she learned about him. She was especially appalled to learn that his assault on her was not the only time he had exhibited unethical behavior towards young female employees during his time at Defendant Guardians.

92. For example, in 1991, his actions ruined a young female police officer's career after she accused some Guardian members of cheating on an exam. As set forth in an article in *THE CITY*, an "examination of the record shows Adams publicly questioned [the female officer's] credibility after she told the department's Internal Affairs unit that Guardian members had secretly received test answers to an upcoming exam. Adams accused her of making up the cheating allegations to get back at a married transit police lieutenant who had supposedly rejected her sexual advances. And the future politician trotted out the bathing suit picture in an attempt to bolster his

claims. [The female officer]’s allegations ultimately led to criminal charges and convictions for three Guardian members.”⁹

Plaintiff Learns of the Adult Survivor’s Act in 2023

93. In 2023, Plaintiff learned about the Adult Survivors Act, a one-year window that had opened in November of 2022 to allow victims of past sexual assault to sue their assaulters. The Act was passed into law in May of 2022.

94. Although she was well aware that she would be subjected to the same slut shaming and accusations of lying that the young female officer endured at the hands of Defendant Adams in 1991, as well as the challenging scrutiny and media attention that go along with such smear campaigns, Plaintiff believed—and continues to believe—that putting the truth forward and holding assaulters and those who abuse their power accountable is worth the price she has already paid for coming forward.

95. As Defendant Adams has said, “people should be held accountable for the charges they face.”¹⁰

This Action Is Timely Under CPLR 214-J (The Adult Survivors Act)

96. This action is timely because it falls under the Adult Survivors Act and is brought during the one-year time period set forth in CPLR 214-j. The claims brought here allege intentional and negligent acts and omissions for physical, psychological, and other injuries suffered as a result of conduct that would constitute sexual offenses as defined by § 130 of the New York Penal Law,

⁹ “NYC’s Eric Adams Once Led Sexist Smear Campaign Against a Whistleblower Cop,” Greg B. Smith and Yoav Gonen, October 17, 2021, *THE CITY* - NYC News, <https://www.thecity.nyc/2021/10/17/eric-adams-sexist-smear-campaign-against-cop-whistleblower/> (last visited March 15, 2024).

¹⁰ “Mayoral Hopeful Eric Adams Reveals Fellow Cop May Have Shot at Him” Greg B. Smith, February 15, 2021, *The City*, <https://www.thecity.nyc/2021/02/15/eric-adams-nyc-mayoral-candidate-shooting-nypd/>; last visited March 7, 2024.

committed against a person who is eighteen years of age or older. Such claims have been revived by CPLR 214-j and may be commenced between November 24, 2022, and November 24, 2023.

97. The underlying conduct described herein constitutes the following crimes under New York Law: New York Penal Law § 130.52 (forcible touching).

98. The Adult Survivors Act applies to revive the statute of limitations for each of the causes of action asserted below.

CAUSES OF ACTION

AND AS FOR A FIRST CAUSE OF ACTION

*(Gender Discrimination, Sexual Harassment and Retaliation in Violation of the NYCHRL and the NYSHRL)
Against All Defendants*

99. Plaintiff repeats and re-alleges each and every fact as set forth above, herein.

100. Plaintiff is a woman, and therefore is a member of a protected class. Plaintiff was qualified to work for Defendants NYC and Transit Bureau and satisfactorily performed the duties required by her position.

101. Plaintiff was Defendant Adams' coworker within Defendants NYC and Transit Bureau at all relevant times. Defendant Adams used his position within Defendants NYC and Transit Bureau, as well as his official role within Defendant Guardians, to sexually harass, sexually assault, subject Plaintiff to *quid pro quo* sexual harassment, and retaliate against Plaintiff.

102. Plaintiff sought the public service/accommodation of Defendant Guardians during the relevant time period.

103. Defendants intentionally subjected Plaintiff to discrimination based on gender and a hostile work environment based on gender by allowing a work environment where Plaintiff was sexually harassed, assaulted by her coworker, subjected to a hostile work environment, and subjected to *quid pro quo* sexual harassment. Plaintiff engaged in protected activity and

Defendants retaliated against her for her protected activity by, among other things, refusing to help her gain her promotion, transferring her, and ultimately terminating her employment.

104. As a further direct and proximate result of said unlawful employment practices, Plaintiff has suffered extreme mental anguish, outrage, severe anxiety about her future and her ability to support herself and her family, harm to her employability and earning capacity, painful embarrassment among her family, friends, and co-workers, damage to her good reputation, disruption of her personal life, and the loss of enjoyment of the ordinary pleasures of everyday life.

105. Based on Defendants' discrimination, Plaintiff is entitled to all remedies in violation of the NYSHRL and the NYCHRL against all Defendants. Plaintiff shall seek attorney's fees and punitive damages.

AND AS FOR A SECOND CAUSE OF ACTION

*(Aiding and Abetting Discrimination in Violation of the NYSHRL and NYCHRL)
Against Defendant Adams*

106. Plaintiff repeats and re-alleges each and every fact as set forth above, herein.

107. Defendant Adams acted to aid and abet the discrimination, sexual harassment, and sexual assault complained of herein, in violation of the NYSHRL and the NYCHRL.

108. As a direct and proximate result of Defendant Adams' discrimination, sexual harassment, and sexual assault, Plaintiff has suffered and continues to suffer damages including compensatory damages and severe mental anguish and emotional distress.

109. Defendant Adams acted intentionally and with malice and/or reckless indifference to Plaintiff's protected rights, entitling Plaintiff to punitive damages.

110. Plaintiff will continue to suffer these damages until the Court grants all of the relief to which she is entitled that is requested herein. By reason of Defendant Adams' discrimination, Plaintiff is entitled to all remedies available for these violations of law.

AS AND FOR A THIRD CAUSE OF ACTION

(Sexual Assault)

Against Defendant Adams

111. Plaintiff repeats and re-alleges each and every fact as set forth above, herein.

112. Defendant Adams' predatory and unlawful acts against Plaintiff created a reasonable apprehension in Plaintiff of immediate harmful or offensive conduct and was done intentionally to Plaintiff by Defendant Adams without Plaintiff's consent.

113. As a direct and proximate result of the aforementioned assault, Plaintiff has sustained and will continue to sustain serious psychological injuries, emotional distress, mental anguish, embarrassment, and humiliation.

114. As a direct and proximate cause of the aforementioned assault, Plaintiff has incurred medical expenses and other economic damages, and is obligated to expend sums of money for medical care in an effort to cure herself of the injuries imposed by the assault to alleviate her pain and suffering, emotional distress, mental anguish, and humiliation.

115. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant Adams in such sum as a jury would find fair, just, and adequate.

116. By reason of the foregoing, Plaintiff is further entitled to punitive damages from Defendant Adams in such sum as a jury would find fair, just, and adequate.

117. The amount of damages sought exceeds the jurisdiction of all lower courts that would otherwise have jurisdiction.

118. This action falls within exceptions to Article 16 of the CPLR.

AS AND FOR A FOURTH CAUSE OF ACTION

(Battery)

Against Defendant Adams

119. Plaintiff repeats and re-alleges each and every fact as set forth above, herein.

120. Defendant Adams intentionally touched Plaintiff without Plaintiff's consent causing actual harm and offense which any reasonable person would have found harmful.

121. Defendant Adams engaged in physical sexual relations with Plaintiff without her consent.

122. Defendant Adams' actions constitute sexual offense as defined in Article 130 of the New York Penal law, including, but not limited to forcible touching (§ 130.52).

123. As a direct and proximate result of the aforementioned battery, Plaintiff has sustained and will continue to sustain serious psychological injuries, emotional distress, mental anguish, embarrassment, and humiliation.

124. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendant Adams in such sum as a jury would find fair, just, and adequate.

125. By reason of the foregoing, Plaintiff is further entitled to punitive damages from Defendant Adams in such sum as a jury would find fair, just, and adequate to deter Defendant Adams and others from similar misconduct.

126. The amount of damages sought exceeds the jurisdiction of all lower courts that would otherwise have jurisdiction.

127. This action falls within exceptions to Article 16 of the CPLR.

AS AND FOR A FIFTH CAUSE OF ACTION

(Intentional Infliction of Emotional Distress)

Against Defendant Adams

128. Plaintiff repeats and re-alleges each and every fact as set forth above, herein.

129. Defendant Adams engaged in outrageous conduct toward Plaintiff with the intention of causing, or with reckless disregard for causing, Plaintiff to suffer severe emotional distress.

130. As a direct and proximate result of the assault and battery to Plaintiff, Plaintiff has sustained and will continue to sustain serious psychological injuries, emotional distress, mental anguish, embarrassment, and humiliation.

131. Defendant Adams committed the acts alleged herein maliciously and oppressively, with the wrongful intention of injuring Plaintiff with an evil motive and in conscious disregard of Plaintiff's rights, entitling Plaintiff to recover punitive damages from Defendant Adams in such sum as a jury would find fair, just, and appropriate, to deter Defendant Adams and others from similar misconduct.

132. The amount of damages sought exceeds the jurisdiction of all lower courts that would otherwise have jurisdiction.

133. This action falls within exceptions to Article 16 of the CPLR.

AS AND FOR A SIXTH CAUSE OF ACTION

(Negligence)

Against Defendant NYC, Defendant Transit Bureau, and Defendant Guardians

134. Plaintiff repeats and re-alleges each and every fact as set forth above, herein.

135. At all relevant times, Defendants owed a duty of care to adequately and properly supervise its employees, agents, servants, and members and to ensure that its employees were not using the authority bestowed on them by Defendants to commit sexual assault, facilitate sexual assault, and/or cover up sexual assault.

136. At all relevant times, Defendants knew or should have known of Defendant Adams' assault of Plaintiff.

137. At all relevant times, Defendants and their agents, servants, members, and/or employees failed to have, enact, and/or enforce rules, regulations, policies, or procedures regarding sexual assault, battery, and/or harassment in the workplace.

138. At all relevant times, Defendants and their agents, servants, members, and/or employees caused, created or, despite active or constructive notice, permitted the existence of dangerous conditions to exist within their premises.

139. At all relevant times, Defendants and their agents, servants, members, and/or employees breached the above-stated duties in a negligent, reckless, willful, and wanton manner, and caused Plaintiff to be sexually assaulted.

140. As a result of the negligence of Defendants and their agents, servants, members, and/or employees caused Plaintiff serious personal injuries, emotional distress, mental pain and suffering, mental anguish, and/or physical manifestations thereof, and other losses, all of which have not yet been fully ascertained.

141. By reason of the foregoing, Plaintiff is entitled to compensatory damages from Defendants in such sum as a jury would find fair, just, and adequate.

142. By reason of the foregoing, Plaintiff is further entitled to punitive damages from Defendants in such sum as a jury would find fair, just, and adequate.

143. The amount of damages sought exceeds the jurisdiction of all lower courts that would otherwise have jurisdiction.

AS AND FOR A SEVENTH CAUSE OF ACTION
(Victims of Gender-Motivated Violence Protection Act)
Against All Defendants

144. Plaintiff repeats and re-alleges each and every fact as set forth above, herein.

145. New York City Administrative Code § 10-1104 provides an independent cause of action for plaintiffs who are injured by a party who enables, participates in, or conspires in the commission of a crime of violence motivated by gender.

146. Causes of action that would otherwise be barred due to a statute of limitations are revived under the Adult Survivors Act.

147. Defendant Adams sexually assaulted Plaintiff and conspired to sexually assault Plaintiff when he lured her into his car, parked in a remote location far from where he stated he was taking her, and while having at least one gun on or around his person.

148. Defendant NYC, Defendant Transit Bureau, and Defendant Guardians enabled Defendant Adams' crimes when they created an environment which perpetuated male employees of Defendant NYC and male members of Defendant Guardians to use *quid pro quo* to sexually assault employees in return for advancement or advocacy for advancement within the female employees' employment with Defendant NYC.

149. These actions constitute enabling, participating in, and conspiring to commit a crime of violence motivated by gender because Defendant Adams sexually assaulted Plaintiff, violated her bodily autonomy, and showed contempt for her autonomy and animus toward her gender.

JURY DEMAND

150. Plaintiff demands a trial by jury in this action.

WHEREFORE, for the foregoing reasons, Plaintiff respectfully requests that this Court enter judgment against Defendants for all compensatory, emotional, physical, and punitive damages, lost pay, and any other relief to which Plaintiff is entitled. It is specifically requested that this Court grant judgment in favor of Plaintiff as follows:

A. Declaring that the Defendants engaged in unlawful discrimination and retaliation and subjected Plaintiff to a hostile work environment in violation of the NYSHRL and the NYCHRL;

B. Awarding compensatory, punitive, and exemplary damages in an amount to be determined by a jury against all Defendants under the NYSHRL and NYCHRL;

C. Awarding compensatory, punitive, and exemplary damages in an amount to be determined by a jury against Defendant Adams for assault, battery, and intentional infliction of emotional distress;

D. Awarding compensatory, punitive, and exemplary damages in an amount to be determined by a jury against Defendant NYC, Defendant Transit Bureau, and Defendant Guardians for negligence;

E. Awarding compensatory, punitive, and exemplary damages in an amount to be determined by a jury against all Defendants under the Victims of Gender-Motivated Violence Protection Act.

F. Awarding the cost, disbursements, interest from the date of the verdict rendered hereon, and reasonable attorney's fees;

G. Plaintiff has been damaged in amount to be determined at trial together with attorneys' fees and interest thereon.

H. Granting such other and further relief as this Court may deem just and proper under the circumstances.

Dated: New York, New York
March 18, 2024

GODDARD LAW PLLC
Attorneys for Plaintiff

By: */s/ Megan S. Goddard*
Megan S. Goddard, Esq.
Siobhan Klassen, Esq.
39 Broadway, Suite 1540
New York, New York 10006
(646) 964-1178
Megan@goddardlawnyc.com
Siobhan@goddardlawnyc.com