



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
New York District Office**

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**VIA ELECTRONIC FILING &  
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February 10, 2005

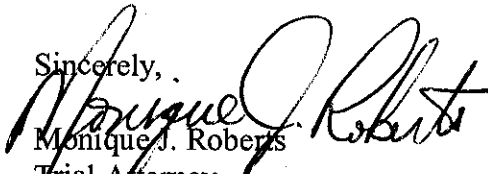
Magistrate James Orenstein  
United States District Court  
Eastern District of New York  
100 Federal Plaza  
Central Islip, New York 11722

Re: **EEOC v. Comprehensive Benefits Consultants**  
**04 CV 3076 (LDW)(JO)**

Dear Magistrate Orenstein:

EEOC has revised it's Complaint as per Your Honor's order of February 4, 2005.

Sincerely,

  
Monique J. Roberts  
Trial Attorney

cc. Brian S. Sokoloff (via facsimile transmission)



JURISDICTION AND VENUE

1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 451, 1331, 1337, 1343 and 1345. This action is authorized and instituted pursuant to Section 703(a)(1), and 704 (a), 706(f)(1) and (3) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§2000e-2(a)(1), 42 U.S.C. §2000e-3(a), 42 U.S. C. §2000e-5 (f)(1) and (3) ("Title VII") and Section 102 of the Civil Rights Act of 1991, 42 U.S.C. §1981a.

2. The employment practices alleged to be unlawful were committed within the jurisdiction of the United States District Court for the Eastern District.

PARTIES

3. Plaintiff, the Equal Employment Opportunity Commission (the "EEOC"), is the agency of the United States of America charged with the administration, interpretation and enforcement of Title VII, and is expressly authorized to bring this action by Section 706 (f)(1) of Title VII, 42 U.S.C. §§2000e-5.

4. At all relevant times, Defendant, CBC, with offices located in Melville, New York, is incorporated in the United States, has continuously done business in the State of New York, and has continuously had at least 15 employees.

5. At all relevant times, Defendant has continuously been an employer engaged in an industry affecting commerce within the meaning of Sections 701(b), (g) and (h) of Title VII, 42 U.S.C. §§ 2000e(b), (g) and (h).

STATEMENT OF CLAIMS

6. More than thirty days prior to the institution of this lawsuit, Ms. Addeo and Ms. Hart filed charges with the Commission alleging violations of Title VII by Defendant. All conditions precedent to the institution of this lawsuit have been fulfilled.

7. Since at least April 2001, Defendant through Lou Russo and Michael Russo, the President and Vice President of Defendant CBC, respectively, in their capacity as corporate officers and managers of CBC and other related companies, has engaged in unlawful employment practices, in violation of Section 703 (a)(1) of Title VII, 42 U.S.C. §2000e-2 (a)(1), by creating and maintaining a sexually hostile work environment based on Ms. Addeo's, Ms. Hart's and other similarly situated female employees' sex. These practices have included, but are not limited to:

a. Defendant, through Lou Russo, in his capacity as a manager and a corporate officer of CBC and other related companies, repeatedly calling female employees "bitches," "baby," and "fat slob";

b. Defendant, through Michael Russo, in his capacity as a manager and a corporate officer of CBC and other related companies, frequently telling Ms. Addeo that she had a "fat ass" and that he preferred her to his wife because Ms. Addeo was "meatier";

c. Defendant, through Michael Russo, in his capacity as a manager and a corporate officer of CBC and other related companies, frequently commenting to Ms. Addeo that she did not perform oral sex on her husband enough;

d. Defendant, through Michael Russo and/or Lou Russo, in their capacity as managers and corporate officers of CBC and other related companies, giving women

documents containing sexual jokes to read while at work;

e. Defendant, through Michael Russo, in his capacity as a manager and a corporate officer of CBC and other related companies, in the presence of female employees, referring to a female client as having a “nice rack” and wanting to put a female client on a conference table and “bang the shit out of her”;

f. Defendant, through Michael Russo, in his capacity as a manager and a corporate officer of CBC and other related companies, telling Ms. Hart that he could “fuck her and she would enjoy every minute of it”; and

g. Defendant, through Michael Russo, in his capacity as a manager and a corporate officer of CBC and other related companies, subjecting Ms. Addeo to unwanted hugging, grabbing and other unwanted and unwelcome physical contact.

8. Since at least December 2002, Defendant, through Lou Russo and Michael Russo, has also engaged in retaliatory acts against Ms. Hart and Ms. Addeo, in violation of Section 704 (a) of Title VII, 42 U.S.C. § 2000e-3 (a). These practices have included, but are not limited to:

a. Defendant, through Michael Russo and/or Lou Russo, in their capacity as managers and corporate officers of CBC and other related companies, retaliated against Ms. Hart by changing the terms and conditions of her employment when she engaged in a protected activity by participating in an investigation about the sexually harassing conduct; and

b. Defendant, through Michael Russo, in his capacity as a manager and a corporate officer of CBC and other related companies, further retaliated against Ms. Addeo and Ms. Hart by filing lawsuits against them in New York State Court alleging that each of the

women had defamed Michael Russo by speaking publically about acts of harassment. The women were served with the state court complaint one day before they were required to attend a mediation in the EEOC action. These complaints were signed by Tony Ward, who is, upon information and belief, an attorney employed by CBC. These defamation lawsuits are a further attempt to harass Ms. Addeo and Ms. Hart and intimidate them and other similarly situated employees from pursuing their federally protected rights under Title VII.

9. Defendant, through Michael Russo and/or Lou Russo, in their capacity as managers and corporate officers of CBC and other related companies, constructively discharged Ms. Addeo by creating such an intolerably hostile work environment that she was forced to leave her employment with Defendant.

10. The effect of these practices complained of in paragraphs 7, 8, and 9 above has been to deprive Ms. Addeo, Ms. Hart and other similarly situated women of equal employment opportunities and otherwise adversely affect their status as employees.

11. The unlawful employment practices complained of in paragraphs 7, 8, and 9 above were intentional.

12. The unlawful employment practices complained of in paragraphs 7, 8, and 9 above were done with malice or with reckless indifference to the federally protected rights of Ms. Addeo, Ms. Hart and other similarly situated women.

#### PRAYER FOR RELIEF

Wherefore, the Commission respectfully requests that this Court:

A. Grant a permanent injunction enjoining Defendant, its officers, successors, assigns, and all persons in active concert or participation with it, from engaging in harassing

conduct and other employment practices which discriminate on the basis of sex and retaliation.

B. Order Defendant to institute and carry out policies, practices, and programs which provide equal employment opportunities for all employees regardless of sex and which eradicate the effects of its past and present unlawful employment practices.

C. Order Defendant to make whole Jean Marie Addeo, Laura Hart and other similarly situated women by providing appropriate backpay with prejudgment interest, in amounts to be determined at trial, and other affirmative relief necessary to eradicate the effects of its unlawful employment practices, including but not limited to reinstatement and promotion.

D. Order Defendant to make whole Jean Marie Addeo, Laura Hart and other similarly situated women by providing compensation for past and future pecuniary losses resulting from the unlawful employment practices described in paragraphs 7, 8, and 9 above including job search expenses, in amounts to be determined at trial.

E. Order Defendant to make whole Jean Marie Addeo, Laura Hart and other similarly situated women by providing compensation for past and future nonpecuniary losses resulting from the unlawful practices complained of in paragraphs 7, 8, and 9 above, including but not limited to emotional pain and suffering, inconvenience, humiliation, loss of enjoyment of life, in amounts to be determined at trial.

F. Order Defendant to pay Jean Marie Addeo, Laura Hart and other similarly situated women punitive damages for Defendant's malicious and reckless conduct described in paragraphs 7, 8, and 9 above, in amounts to be determined at trial.

G. Grant such further relief as the Court deems necessary and proper in the public interest.

H. Award the Commission its costs of this action.

JURY TRIAL DEMAND

The Commission requests a jury trial on all questions of fact raised by its complaint.

Respectfully submitted,

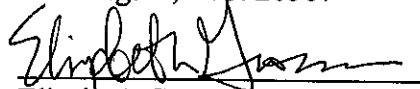
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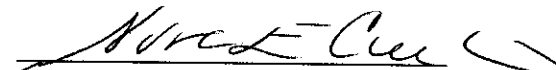
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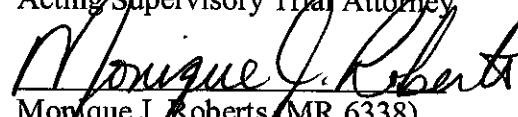
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