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

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DABOTUBO HORSFALL,

Plaintiff,

-against-

MORGAN STANLEY, JOHN WATT, THOMAS GRAY, MARKUS HOTTENROTT, JAMES WILMOTT, SUSAN REID, KEISHA SMITH, and ANN VALENTINE ANDREWS,

Defendants.

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Index No.
Date Purchased:

Plaintiff designates New York County as the place of trial.

The basis of venue is Defendants' principal office

SUMMONS

To the above named Defendant(s)

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 this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the 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 appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York
February 4, 2013

Yours, etc.



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Defendants' Addresses:

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

DABOTUBO HORSFALL,	:	Index No.:
	:	
Plaintiff,	:	
	:	
-against-	:	
	:	**VERIFIED COMPLAINT**
MORGAN STANLEY, JOHN WATT, THOMAS GRAY, MARKUS HOTTENROTT, JAMES WILMOTT, SUSAN REID, KEISHA SMITH, and ANN VALENTINE ANDREWS,	:	**Jury Demand**
	:	
Defendants.	:	Filed on: _____

Plaintiff DABOTUBO HORSFALL (hereinafter referred to as "Plaintiff"), by and through his undersigned counsel, THE COCHRAN FIRM, as and for his Complaint in this action against Defendants MORGAN STANLEY ("MS"), JOHN WATT ("Watt"), THOMAS GRAY ("Gray"), MARKUS HOTTENROTT ("Hottenrott"), JAMES WILMOTT ("Wilmott"), SUSAN REID ("Reid"), KEISHA SMITH ("Smith"), and ANN VALENTINE ANDREWS ("Andrews"), (together, "Defendants"), hereby alleges as follows:

NATURE OF THE CLAIMS

1. This action seeks declaratory, injunctive and equitable relief, as well as monetary damages, to redress Defendants' unlawful employment practices, including their unlawful discrimination of Plaintiff in violation of New York State Human Rights Law, New York State Executive Law § 290 et seq and the New York City Human Rights Law, Administrative Code of the City of New York § 8-101 et seq.

2. During Defendants' continuing employment at MS, Defendants were and are still subjecting the Plaintiff to unlawful discrimination on the basis of his race and/or color, a hostile work environment, disparate treatment and unlawful retaliation.

3. Defendants' conduct is knowing, malicious, willful and wanton and/or shows a reckless disregard for Plaintiff, and caused and continues to cause Plaintiff to suffer substantial economic and non-economic damages, permanent harm to his professional and personal reputation, permanent harm to his business relationships, and severe mental anguish and emotional distress.

JURISDICTION AND VENUE

4. This Court has jurisdiction over this matter because at all times Defendants' principal place of business was in New York County, and Plaintiff at all times was employed at the New York County location and all adverse actions taken against him had an impact in New York County.

5. Venue is proper in this County pursuant to CPLR § 504 because Defendants' principal office is located in New York County, and all causes of action arose in New York County. In addition, the Plaintiff and one or more of the Defendants live in New York County.

PARTIES

6. Plaintiff Dabotubo Horsfall is an African-American male who at all relevant times met the definition of an "employee" under all applicable statutes.

7. Defendant MS is an international corporation, with a regional New York office duly existing, and by virtue of the laws of the State of New York, and maintains its regional place of business at 1585 Broadway, New York, New York 10036. At all relevant times, MS met the definition of an "employer" under all applicable statutes.

8. At all relevant times, Defendant John Watt was a supervisor at MS, and he participated directly in the unlawful discrimination, hostile work environment, retaliation and otherwise unfair employment decisions and actions taken against the Plaintiff.

9. At all relevant times, Defendant Thomas Gray was a supervisor at MS, and he participated directly in the unlawful discrimination, hostile work environment, retaliation and otherwise unfair employment decisions and actions taken against the Plaintiff.

10. At all relevant times, Defendant Markus Hottenrott was a manager at MS, and he participated directly in the unlawful discrimination, hostile work environment, retaliation and otherwise unfair employment decisions and actions taken against the Plaintiff.

11. At all relevant times, Defendant James Wilmott was a manager at MS, and he participated directly in the unlawful discrimination, hostile work environment, retaliation and otherwise unfair employment decisions and actions taken against the Plaintiff.

12. At all relevant times, Defendant Susan Reid was an employee at MS, and she participated directly in the unlawful discrimination, hostile work environment, retaliation and otherwise unfair employment decisions and actions taken against the Plaintiff.

13. At all relevant times, Defendant Keisha Smith was an employee at MS, and she participated directly in the unlawful discrimination, hostile work environment, retaliation and otherwise unfair employment decisions and actions taken against the Plaintiff.

14. At all relevant times, Defendant Ann Valentine Andrews was a manager at MS, and she participated directly in the unlawful discrimination, hostile work environment, retaliation and otherwise unfair employment decisions and actions taken against the Plaintiff.

PROCEDURAL REQUIREMENTS

15. This claim has been commenced and this action has been started within three (3) years of the happening of the events on which the claim is based.

16. Plaintiff has complied with all conditions and requirements precedent to the commencement of this action.

FACTUAL ALLEGATIONS

Plaintiff's Success Working Under Sadek Wahba

17. The Plaintiff was hired in August 2010 as Vice President of Morgan Stanley's Investment Management Infrastructure Fund (MSIP).

18. When the Plaintiff was initially hired he was directed to work closely with Sadek Wahba, Chief Investment Officer of MSIP.

19. And, in this capacity, the Plaintiff diligently performed all of his work. He consistently met all of his goals and was given many opportunities to generate substantial revenue to the benefit of MSIP under Mr. Wahba's leadership.

20. Mr. Wahba often assigned the Plaintiff complex projects that the Plaintiff successfully completed thereby demonstrating his skill and ability to excel at his job.

21. Despite the Plaintiff's contributions, accomplishments, and profitability to MS, he has been discriminatorily undermined by Defendants Watt and Gray, while his non-African American peers are awarded greater compensation and constantly acknowledged for their successes.

22. When Mr. Wahba left MSIP in November 2011, the discrimination became much worse when Plaintiff began working directly with Defendants Watt and Gray.

The Discriminatory Treatment the Plaintiff was forced to Endure

23. Almost immediately after Defendants Watt and Gray assumed responsibility of supervising the Plaintiff, the Plaintiff began experiencing the Defendants' blatant discriminatory treatment of him on account of his race.

24. For instance in November 2011, the Plaintiff along with his peer, Adil Rahmathulla, closed on the sale of a Chilean electric distribution business resulting in profits for the fund in excess of $150 million.

25. Although the Plaintiff greatly contributed to the completion of this sale, he was never properly acknowledged nor was he properly compensated for his work on this complex transaction.

26. Defendant Watt's discriminatory animus against the Plaintiff became evident as he refused to give the Plaintiff a year-end written evaluation as well as when he reduced Plaintiff's bonus amount despite several noteworthy accomplishments, such as the Chilean deal.

27. At the end of 2011, the Plaintiff met with Defendant Watt to discuss his performance as part of MS's year-end review policy.

28. During this meeting, Defendant Watt discriminatorily barraged the Plaintiff with inaccuracies regarding his work performance and refused to give him any credit for the Chilean business deal.

29. Moreover, Defendant Watt's discussion about the Plaintiff's performance, discriminatorily omitted any feedback from Mr. Wahba and Mr. Rahmathulla, two individuals who worked closely with Mr. Horsfall during 2011.

30. At this meeting it became obvious to the Plaintiff that Defendant Watt was setting him up for failure by subjecting him to disparate treatment because of his race. Defendant Watt

ensured the Plaintiff's non-African American colleagues were properly compensated for their projects and that their evaluations incorporated feedback from previous supervisors and/or colleagues they worked with for a significant amount of time during 2011.

31. At the conclusion of this meeting, the Plaintiff requested a written evaluation for 2011, and to date never received one. Besides being in direct violation of MS' policy, it was discriminatory in that other non-African American employees at MS received written evaluations.

32. Furthermore, Defendant Watt decreased the Plaintiff's year-end bonus by over $20,000 whereas the Plaintiff's similarly-situated non-African American peers received greater bonuses and compensation than the Plaintiff even though their performance lagged in comparison to the Plaintiff's.

33. As a result of the Defendants' discriminatory animus against him, the Plaintiff received a bonus of $190,000 when his bonus award should have been greater than $500,000 dollars.

34. Trying to escape the racially motivated hostile work environment created by Defendant Watt and in an effort to get greater compensation, the Plaintiff attempted to switch from the Asset Management team, which he was designated to work onto the Investing team. By doing the switch, Plaintiff would no longer have to report to Defendant Watt and endure the racially motivated hostile work environment. But also, working on the Investing team would allow Plaintiff greater opportunities for advancement and more accurately reflect the work he had been doing for the fund.

35. Although the Plaintiff had the qualifications and skill sets necessary for joining the Investing team, Defendant Watt refused to let him transfer in December 2011. Defendant

Watt told the Plaintiff they will revisit the issue in six months reasoning that a transfer to the Investing team would leave the Plaintiff's peers on the Asset Management team under the impression that the Plaintiff thought he was "better" than them. This reason was an obvious excuse to keep the Plaintiff under Defendant Watt's supervision so he could continue his efforts to discriminate against the Plaintiff.

36. In addition to holding Plaintiff down, Defendants Gray and Watt have both worked to undermine the Plaintiff's credibility and reputation with his colleagues and within MS generally. They have negatively portrayed the Plaintiff to his teammates in an effort to keep him segregated from his team as well as limit the support that the Plaintiff should receive. As such, his relationships with his current team members and other staff has suffered.

37. As a result of Defendant Gray's and Watt's endeavor to harm the Plaintiff's reputation, the Plaintiff has been excluded from several social gatherings, including lunches with his team.

38. Another clear example of the disparate treatment the Plaintiff was forced to endure on account of his race was having to continually experience Defendant Watt's yelling and unprofessional behavior toward him in front of his colleagues. These "explosions" only were directed at Plaintiff and no other member of the fund.

Plaintiff's Several Complaints of Discrimination

39. After no longer being able to endure the discriminatory treatment, Mr. Horsfall complained to Susan Reid, Executive Director of Human Resources, about the disparate treatment. Ms. Reid never conducted an investigation and merely told the Plaintiff to find a way to deal with the mistreatment.

40. After realizing his complaint to Human Resources was futile and did nothing to alleviate the hostile work environment, he complained to two of the co-CEOs of the Investment Fund, Defendants James Wilmott and Markus Hottenrott, on separate occasions. Neither Defendants Wilmott or Hottenrott took any action.

41. In obvious retaliation for complaining and in further discriminatory treatment, the Plaintiff was administered a baseless written warning and a correction active plan by Defendants Watt and Gray on July 23, 2012. This written warning was a grossly inaccurate portrayal of the Plaintiff's performance.

42. After receiving this sham written warning, the Plaintiff again complained to Defendant Hottenrott and was merely paid lip service about how no one under his leadership will be subjected to any unfair treatment. Defendant Hottenrott further advised him that they did not want any noise, such as legal action being taken that would result in distractions diverting attention away from the Fund's fundraising efforts. Defendant Hottenrott advised the Plaintiff that he had to do what was in the best interest of the fund.

43. Defendant Hottenrott never investigated the Plaintiff's complaints of discrimination. Thus, Plaintiff was left to complaint to Defendants Wilmott and Andrews, co-CEOs of the Investment Fund, regarding the sham and discriminatory written warning. They also refused to follow MS's policy and did not investigate the Plaintiff's complaints.

44. On or about August 1, 2012, the Plaintiff met with Defendant Reid to again complain about the unfair and pretextual written warning he received. He showed her the documents contradicting various areas the Defendants cited the Plaintiff as needing improvement. She told him that she would speak with Defendants Gray and Watt. In similar

fashion, Defendant Reid took no action to help the Plaintiff, and, instead, told the Plaintiff he must work things out on his own.

45. On or about August 9, 2012, in a desperate attempt to help alleviate the hostile work environment he was forced to endure, the Plaintiff escalated his complaints to Defendant Smith, Managing Director of Human Resources, and was told that she was already aware of his complaints and that now that contradictory information has surfaced, others will be monitoring his relationship with Defendants Gray and Watt.

46. On or about August 22, 2012, the Plaintiff raised his complaints of discrimination and retaliation with James Gorman, the CEO of MS, however, this attempt was futile as well. Defendants Watt and Gray continued targeting the Plaintiff.

47. Acknowledging the pretextual nature of the initial warning by implication, on or about October 3, 2012 Defendants Watt and Wilmott gave the Plaintiff a revised written warning. This written warning also contained gross inaccuracies in the Plaintiff's performance and in his interpersonal relationships with his colleagues. It failed to incorporate all of the Plaintiff's proof contradicting Defendant Watt's and Gray's false assessment of his work performance, and kept him on a corrective action plan.

48. Since the Plaintiff's complaints of discrimination, the Plaintiff has been subjected to a slew of retaliatory actions aimed at undermining his authority. He has been excluded from major projects, such as CLP Analysis and Southern Star because of his race.

49. Southern Star is an asset managed by the Plaintiff, and the Defendants excluded him from this project in clear retaliation for his complaints. They instead assigned Adina Schwartz, a white similarly situated colleague, and Defendant Gray to take over the work on this asset. Ms. Schwartz's and Defendant Gray's work on the Southern Star model was flawed and

replete with errors. Upon learning of the flawed model, Defendants wanted to reassign the project to the Plaintiff so he would be responsible for an incorrect model created by Defendant Gray and Ms. Schwartz. This action clearly was designed to sabotage the Plaintiff since he would be the scapegoat for Ms. Schwartz's and Defendant Gray's subpar work. After the Plaintiff requested the Defendants acknowledge the existing errors in the model were not committed by him, the Defendants refused to let the Plaintiff complete the project. As a result of the Defendants' discriminatory and retaliatory action, the Plaintiff lost significant compensation for an asset that he should have been compensated.

50. Additionally, the Defendants have refused to assign the Plaintiff any significant projects. They refuse to put him on accounts for which he is an expert, such as those relating to the Chicago Loop Parking assets. Despite the Plaintiff's eagerness to resolve the pending issues relating to the Chicago Loop Parking assets project, Defendants have refused his involvement.

51. Defendants Watt and Gray and Human Resources falsely allege, continuously, that the Plaintiff has failed to complete projects. This ploy is pure retaliation and orchestrated to sabotage his career at MS. The most recent example occurred in the Plaintiff's 2012 year-end evaluation. The purported deficiencies listed in the Plaintiff's evaluation by the Defendants were assignments that were never given to the Plaintiff.

52. The Plaintiff was also held responsible for not properly contributing on a London based project, Affinity Water. This project is currently managed on a full-time basis by several members in the London office. Any responsibility given to the Plaintiff for this project he has met. Despite notifying Defendants Gray and Watt that he is being underutilized in this project as a result of the distance and difference in time zones, they have ignored his complaints and faulted him instead for not contributing more.

53. As a result of Plaintiff's pretextual 2012 year-end evaluation, the Defendants discriminatorily and retaliatory reduced the Plaintiff's bonus award by nearly $30,000 without sufficient justification as well as deny him a well-deserved promotion to Executive Director.

54. To date, the discriminatory treatment has continued unabated. MS's latest retaliatory actions against the Defendants have made it clear that they are setting him up for failure considering his multiple complaints to Human Resources and MSIP's three CEOs have all been disregarded.

55. As a result of Defendants' discrimination, retaliation and other unlawful conduct, the Plaintiff has suffered, and continues to suffer, severe mental anguish and emotional distress, including but not limited to stress and anxiety, headaches, sleep disturbances, loss of self-esteem, self-confidence and personal dignity, and emotional pain and suffering. Plaintiff has also been denied full and fair compensation.

56. As a result of Defendants' discriminatory, retaliatory, and tortious conduct, the Plaintiff has suffered, and continues to suffer, loss of career fulfillment and harm to his career as well as his professional and personal reputation.

FIRST CAUSE OF ACTION
(Race and Color Discrimination in Violation of New York State Human Rights Law)

46. Plaintiff hereby repeats and realleges each and every allegation in paragraphs 1 through 45, inclusive, as if fully set forth herein.

47. Defendants have discriminated against Plaintiff on the basis of his race and color in violation of the New York State Human Rights Law, by denying to him equal terms and conditions of employment, including but not limited to, subjecting him to disparate working conditions, denying him the opportunity to work in an environment free of unlawful

discrimination, denying him opportunities for professional growth and promotion, and denying him pay and other benefits equal to that of similarly situated employees.

48. Defendants have discriminated against Plaintiff on the basis of his race and color, in violation of the New York State Human Rights Law by fostering, condoning, accepting, ratifying and/or otherwise failing to prevent or to remedy discrimination of Plaintiff by his employer, supervisor and colleagues.

49. As a direct and proximate result of Defendants' unlawful and discriminatory conduct in violation of the New York State Human Rights Law, Plaintiff suffered, and continues to suffer monetary and/or economic damages, including, but not limited to, loss of past and future income, compensation and benefits for which he is entitled to an award of monetary damages and other relief.

50. As a direct and proximate result of Defendants' unlawful and discriminatory conduct in violation of the New York State Human Rights Law, Plaintiff suffered and continues to suffer severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering for which he is entitled to an award of monetary damages and other relief.

SECOND CAUSE OF ACTION
(Retaliation in Violation of New York State Human Rights Law)

51. Plaintiff hereby repeats and realleges each and every allegation in paragraphs 1 through 50, inclusive, as if fully set forth herein.

52. Defendants have retaliated against Plaintiff by, inter alia, harassing him, threatening him, humiliating him, and undermining his ability to effectively perform his job in

violation of the New York State Human Rights Law for his opposition to Defendants' discriminatory practices toward himself and other employees and/or his participation in criticizing and lodging complaints about Defendants' discriminatory practices toward himself.

53. As a direct and proximate result of Defendants' unlawful and retaliatory conduct in violation of New York State Human Rights Law, Plaintiff suffered, and continues to suffer, monetary and/or economic damages, including but not limited to, loss of past and future income, compensation and benefits, for which he is entitled to an award of monetary damages and other relief.

54. As a direct and proximate result of Defendants' unlawful and retaliatory conduct in violation of New York State Human Rights Law, Plaintiff suffered, and continues to suffer, severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self- confidence, and emotional pain and suffering for which he is entitled to an award of monetary damages.

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

55. Plaintiff hereby repeats and realleges each and every allegation in paragraphs 1 through 54, inclusive, as if fully set forth herein.

56. Defendants Watt, Gray, Hottenrott, Wilmott, Andrews, Reid and Smith knowingly and/or recklessly aided and abetted the unlawful employment practices, discrimination and retaliation against Plaintiff in violation of the New York State Human Rights Law by actively participating in the unlawful conduct set forth above.

57. Defendants have discriminated against Plaintiff on the basis of her race through a pattern and practice of fostering, condoning, accepting, ratifying and/or otherwise failing to

prevent or to remedy a hostile work environment that included, among other things, severe and pervasive race discrimination by the Defendants.

58. As a direct and proximate result of Defendants Watt, Gray, Hottenrott, Wilmott, Andrews, Reid and Smith unlawful discrimination and retaliation against Plaintiff in violation of the New York State Human Rights Law, Plaintiff has suffered and continues to suffer monetary and/or economic damages, including but not limited to, loss of past and future income, compensation and benefits for which he is entitled to an award of monetary damages and other relief.

59. As a direct and proximate result of Defendants Watt, Gray, Hottenrott, Wilmott, Andrews, Reid and Smith's unlawful discrimination and retaliation against Plaintiff in violation of the New York State Human Rights Law, Plaintiff has suffered and continues to suffer severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering for which he is entitled to an award of monetary damages and other relief.

FOURTH CAUSE OF ACTION
(Race and Color Discrimination in Violation of New York City Human Rights Law)

60. Plaintiff hereby repeats and realleges each and every allegation in paragraphs 1 through 59, inclusive, as if fully set forth herein.

61. Defendants have discriminated against Plaintiff on the basis of his race, in violation of the New York City Human Rights Law by denying to him equal terms and conditions of employment, including but not limited to, subjecting him to disparate working conditions, denying him promotions, denying him the opportunity to work in an environment

free of unlawful discrimination, and denying him equal pay and other benefits to that of similarly situated non-black employees.

62. Defendants have discriminated against Plaintiff on the basis of his race, in violation of the New York City Human Rights Law by fostering, condoning, accepting, ratifying and/or otherwise failing to prevent or to remedy discrimination of Plaintiffs by his colleagues and supervisors.

63. Defendants have discriminated against Plaintiff on the basis of his race in violation of the City of New York Human Rights Law through a pattern and practice of fostering, condoning, accepting, ratifying and/or otherwise failing to prevent or to remedy a hostile work environment that included, among other things, severe and pervasive race discrimination of the Plaintiff by the Defendants.

64. As a direct and proximate result of Defendants' unlawful and discriminatory conduct in violation of the New York City Human Rights Law, Plaintiff suffered, and continues to suffer, monetary and/or economic harm, including but not limited to loss of past and future income, compensation and benefits for which he is entitled to an award of damages.

65. As a direct and proximate result of Defendants' unlawful and discriminatory conduct in violation of the New York City Human Rights Law, Plaintiff suffered, and continues to suffer, severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering for which he is entitled to an award of damages.

66. Defendants' unlawful and discriminatory actions constitute malicious, willful and wanton violations of the New York City Human Rights Law for which Plaintiff is entitled to an award of punitive damages.

FIFTH CAUSE OF ACTION
(Retaliation in Violation of New York City Human Rights Law)

67. Plaintiff hereby repeats and realleges each and every allegation in paragraphs 1 through 66, inclusive, as if fully set forth herein.

68. Defendants have retaliated against Plaintiff by, inter alia, harassing him, humiliating him, undermining his ability to effectively perform his job, and denied him promotions and/or promotional opportunities in violation of the New York City Human Rights Law for his opposition to Defendants' discriminatory practices toward himself and other employees and/or his participation in criticizing and lodging complaints about Defendants' discriminatory practices toward himself.

69. As a direct and proximate result of Defendants' unlawful and retaliatory conduct in violation of the New York City Human Rights Law, Plaintiff suffered, and continues to suffer, monetary and/or economic harm, including but not limited to loss of past and future income, compensation and benefits, for which he is entitled to an award of damages.

70. As a direct and proximate result of Defendants' unlawful and retaliatory conduct in violation of the New York City Human Rights Law, Plaintiff suffered, and continues to suffer, severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering for which he is entitled to an award of damages.

71. Defendants' unlawful and retaliatory actions constitute malicious, willful and wanton violations of the New York City Human Rights Law for which Plaintiff is entitled to an award of punitive damages.

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

72. Plaintiff hereby repeats and realleges each and every allegation in paragraphs 1 through 71, inclusive, as if fully set forth herein.

73. Defendants Watt, Gray, Hottenrott, Wilmott, Andrews, Reid and Smith knowingly or recklessly aided and abetted the unlawful employment practices, discrimination and retaliation against Plaintiff in violation of the New York City Human Rights Law.

74. As a direct and proximate result, Plaintiff suffered, and continues to suffer, monetary and/or economic harm, including but not limited to loss of past and future income, compensation and benefits for which he is entitled to an award of damages.

75. As a direct and proximate result, Plaintiff suffered, and continues to suffer, severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering for which he is entitled to an award of damages.

76. Defendants Watt, Gray, Hottenrott, Wilmott, Andrews, Reid and Smith's unlawful actions constitute malicious, willful and wanton violations of the New York City Human Rights Law for which Plaintiff is entitled to an award of punitive damages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that the Court enter judgment in his favor against Defendants and grant the following relief:

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

B. An injunction permanently restraining Defendants from continuing to engage in the unlawful conduct alleged in this Complaint;

C. An award of damages in an amount to be determined at trial, but in any event in excess of the jurisdictional limit of any other Court which might otherwise have jurisdiction over this matter, 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, job seniority and other benefits of employment;

D. An award of damages in an amount to be determined at trial, but in any event in excess of the jurisdictional limit of any other Court which might have jurisdiction over this matter, plus prejudgment interest, to compensate Plaintiff for all non-monetary and/or compensatory damages, including but not limited to, compensation for his severe mental anguish and emotional distress, humiliation, depression, embarrassment, stress and anxiety, loss of self-esteem, self-confidence and personal dignity, reputational harm and emotional pain and suffering and any other physical or mental injuries;

E. An award of damages for any and all other monetary and/or non-monetary losses suffered by the Plaintiff, in an amount to be determined at trial, but in any event in excess of the jurisdictional limit of any Court over this matter, plus prejudgment interest;

F. An award of damages for any and all other monetary and/or non-monetary losses suffered by Plaintiff in an amount to be determined at trial, plus prejudgment interest;

G. An award of punitive damages in an amount to be determined at trial, in any event in excess of this jurisdictional limit of any other Court which might otherwise have jurisdiction over this matter;

H. An award of costs that Plaintiff has incurred in this action, as well as his reasonable attorneys' fee to the fullest extent permitted by law; and

I. Such other and further relief as the Court may deem just and proper.

JURY DEMAND

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

Dated: New York, New York
February 4, 2013

Respectfully submitted,

THE COCHRAN FIRM

Derek S. Sells, Esq.
Counsel for Plaintiff
233 Broadway, 5th Floor
New York, New York 10279
(Tel No.) (212) 553-9120
(Facsimile) (212) 227-8763

INDIVIDUAL VERIFICATION

State of New York)
) ss.:
County of New York)

DABOTUBO HORSFALL, being duly sworn, deposes and says that I am the Plaintiff in the within proceeding; that I have read the foregoing Verified Complaint and know the contents thereof; that the same are true to my own knowledge, except as to the matters therein stated to be alleged on information and belief, and, as to those matters, I believe them to be true.

DABOTUBO HORSFALL

Sworn to before me this
4th day of February, 2013

Notary Public

RADHICA RAMLOCHAN
NOTARY PUBLIC, STATE OF NEW YORK
No. 01RA6008574
Qualified in Kings County
Commission Expires 06-15-14