

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

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Katherine Brooks Harris, Sydney McNeal and :  
Yuqing ("Chelsea") Wei, :

Plaintiffs, :

- against - :

CBS News Communications Inc., CBS News :  
Inc., Charlie Rose Inc., and Charles Peete Rose Jr. a/k/a Charlie Rose, :

Defendants. :

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Index No.

**SUMMONS**

Date Index No. Purchased:  
May 4, 2018

**To The Above Named Defendant(s):**

CBS News Communications Inc.  
CBS News Inc.  
51 West 52nd Street  
New York, New York 10019

Charlie Rose Inc.  
Charles Peete Rose Jr. a/k/a Charlie Rose  
781 Fifth Avenue  
New York, New York 10022

**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 within 20 days after the services of this summons, exclusive of the day of service (or within thirty 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.

The basis of venue location of incident/occurrence which is New York County.

Dated: New York, New York  
May 4, 2018

Yours, etc.,

/s/ Kenneth A. Goldberg  
Kenneth A. Goldberg

Goldberg & Fliegel, LLP  
192 Lexington Avenue, Suite 902  
New York, New York 10016  
(212) 983-1077

Attorneys for Plaintiffs

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

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Katherine Brooks Harris, Sydney McNeal and :  
Yuqing (“Chelsea”) Wei, :

Plaintiffs, :

**COMPLAINT**

- against - :

CBS News Communications Inc., CBS News :  
Inc., Charlie Rose Inc., and Charles Peete Rose Jr. a/k/a Charlie Rose, :

Defendants. :

----- X

**NATURE OF THE ACTION**

1. This case is about blatant and repeated sexual harassment committed by Charlie Rose, a 70+ year old powerful American television journalist and talk show host, against three junior female employees in their 20s, and subsequent unlawful retaliation –including deplorable conduct that has been widely reported by, among others, the *Washington Post*.

**OVERVIEW OF THE NEW YORK CITY HUMAN RIGHTS LAW**

2. This action is brought under the New York City Human Rights Law, as amended (“NYCHRL”), N.Y.C. Admin. Code § 8-101 *et seq.*, which is widely considered to be among the broadest and most protective laws against discrimination in the nation.

3. Under the NYCHRL, “discrimination shall play *no* role in decisions *relating to employment.*” *Williams v. NYC Hous. Auth.*, 61 A.D.3d 62, 78 (1<sup>st</sup> Dep’t 2009), *lv. to appeal denied*, 13 N.Y.3d 702 (2009) (emphasis supplied).

4. Under the NYCHRL, liability arises when a plaintiff is “treated less well because of her” protected status. *Id.*

5. The NYCHRL is to be applied to “maximum deterrent effect.” *Bennett v. Health Mgmt. Sys., Inc.*, 92 A.D.3d 29, 43 (1st Dep’t 2011), *lv. to appeal denied*, 18 N.Y.3d 811 (2012).

6. The NYCHRL “shall be construed liberally for the accomplishment of the uniquely broad and remedial purposes thereof.” *Loeffler v. Staten Island Univ. Hosp.*, 582 F.3d 268, 278 (2d Cir. 2009), *quoting* N.Y.C. Admin. Code § 8-130.

7. The liberal, uniquely broad and remedial purposes of the NYCHRL shall be applied “regardless of whether federal or New York State civil and human rights laws, including those laws with provisions comparably-worded [ . . . ] have been so construed [ . . . ]” *Id.*; see also *Williams*, 61 A.D.3d 62, 66 (the protections provided by the NYCHRL go beyond those of federal and state civil rights laws).

#### THE PARTIES

8. Plaintiff Katherine Brooks Harris is an adult female residing in New York.
9. Plaintiff Sydney McNeal is an adult female residing in Texas.
10. Plaintiff Yuqing (“Chelsea”) Wei is an adult female residing in New York.
11. Defendant CBS News Communications Inc. is a New York domestic business corporation, doing business in New York, New York and having a principal place of business and/or address in New York, New York.
12. Defendant CBS News Inc. is a foreign business corporation, doing business in New York, New York and having a principal place of business and/or address in New York, New York.
13. Defendants CBS News Communications Inc. and CBS News Inc. are individually and collectively referred to herein as “CBS.”
14. Defendant Charlie Rose Inc. is a foreign business corporation, doing business in New York, New York and having a principal place of business and/or address in New York, New York.
15. Defendant Charles Peete Rose Jr. a/k/a Charlie Rose, and referred to herein as “Mr. Rose,” is an adult male, residing in New York.
16. Charlie Rose Inc. and Charlie Rose are individually and collectively referred to as “Rose.”
17. CBS and Rose are referred to herein as the “Companies,” are jointly and severally liable herein, and are also liable herein as “joint employers.”

### JURISDICTION AND VENUE

18. The events giving rise to the claims set forth herein occurred within the State of New York and the City of New York.

19. This Court has jurisdiction over Plaintiffs' NYCHRL claims under the NYCHRL.

20. This Court has jurisdiction over Defendants pursuant to New York law, including without limitation Sections 301 and/or 302 of the New York Civil Practice Law and Rules (the "C.P.L.R.").

21. Venue is proper in this County pursuant to New York law, including without limitation Section 503 of the C.P.L.R.

### BACKGROUND

#### **A. CBS**

22. CBS is a longstanding American television and radio service and its broadcasts include, among others, the *CBS Evening News*, *CBS This Morning*, *CBS Sunday Morning*, *60 Minutes*, *48 Hours*, *Face The Nation* and other programs.

23. CBS has broadcasting studios in New York City at 524 W 57th St., New York, NY 10019 ("CBS Studios").

#### **B. Rose**

24. Mr. Rose is 70+ year old American television journalist and former talk show host.

25. During the 1980s, Mr. Rose co-anchored the CBS program *Nightwatch*.

26. From about 1991 to 2017, Mr. Rose was the host and executive producer of his own talk show *Charlie Rose*.

27. That show was produced by Charlie Rose Inc. (Mr. Rose's independent television production company), was filmed at Bloomberg LP headquarters at 731 Lexington Avenue, New York, New York ("Charlie Rose Studios"), and was distributed by PBS.

28. From about 2012 to 2017, Mr. Rose also co-anchored *CBS This Morning*.

29. At times, Mr. Rose substituted for the anchor of the *CBS Evening News*.

30. For years, and at various times, Mr. Rose was a correspondent for the shows *60 Minutes* and its spinoff *60 Minutes II*.

31. Upon information and belief, in November 2017, Mr. Rose's employment at CBS was terminated and his talk show *Charlie Rose* was cancelled.

32. Upon information and belief, CBS had a history of workplace sexual harassment against women over a period of decades from at least the 1980s forward.

33. Upon information and belief, Mr. Rose himself sexually harassed more than two dozen women at CBS over a period of decades from at least the 1980s forward.

34. As noted above, during the 1980s, Mr. Rose anchored *Nightwatch*.

35. Upon information and belief, in 1986, during Mr. Rose's tenure with *Nightwatch*, seven female employees that worked for CBS on that program, filed a lawsuit against CBS alleging sexual harassment by the executive producer and other managerial employees, captioned *Balsam v. CBS, Inc.*, CA07220-86 (Superior Court, District of Columbia, Civil Division).

36. Upon information and belief, CBS was fully aware of Mr. Rose's sexual harassment and other sexual harassment but failed to take any remedial action for decades and allowed Mr. Rose and others to continue to engage in sexual harassment for decades.

**C. Ms. Harris**

37. In or about January 2016, Ms. Harris, in her low 20s, joined CBS as a Broadcast Associate for *CBS This Morning*, at the CBS Studios.

38. Ms. Harris was assigned to work the night shift and thereafter was briefly assigned to work in the CBS Studios during the morning hours.

39. Ms. Harris, while working in the CBS Studios during the morning hours, noticed that Mr. Rose, then a co-anchor on *CBS This Morning*, was there and was staring at her.

40. Mr. Rose approached Ms. Harris and said that he had heard that she was smart and had talked to Ryan Kadro (Executive Producer) about her.

41. Mr. Rose then began taking her to lunch at expensive restaurants, where he bought her wine and floated job opportunities at *60 Minutes* and at *Charlie Rose*, his PBS show.

42. In March 2017, Rose verbally offered Ms. Harris employment with Charlie Rose Inc., based in Manhattan, and, on or about April 11, 2017, issued an “offer letter” to her.

43. The offer letter stated, among other items, “I want you to be at the center of my professional world...”, “You help me get through the day,” “we will celebrate” and “I look forward to the most exciting year of our lives.”

44. In the offer letter, Rose misrepresented and falsely inflated the position being offered to Ms. Harris, to lure Ms. Harris to work for Rose.

45. Ms. Harris advised Mr. Kadro of Rose’s offer.

46. Upon information and belief, Mr. Kadro knew that Mr. Rose had a history of sexual harassment, but did not warn Ms. Harris about him.

47. Instead, Mr. Kadro encouraged Ms. Harris to accept Rose’s offer.

48. Ms. Harris joined Rose and, from April-November 2017, Ms. Harris worked as an Associate Producer for Rose.

49. At all relevant times, Ms. Harris was qualified for her position.

**D. Ms. McNeal**

50. In or about April 2017, Ms. McNeal, in her low 20s, joined Rose as an Executive Assistant, a position based in Manhattan.

51. From April-November 2017, Ms. McNeal worked as an Executive Assistant for Rose.

52. At all relevant times, Ms. McNeal was qualified for her position.

**E. Ms. Wei**

53. In September 2015, Ms. Wei, in her low 20s, joined CBS, as a News Associate for *CBS This Morning*, at the CBS Studios.

54. Ms. Wei was initially assigned to the Broadcast Associate Desk, an entry level position for interns and recent college graduates.

55. Ms. Wei performed well and was promoted.

56. From April 2016 to early May 2017, Ms. Wei worked as an Executive Assistant to Mr. Kadro.

57. Beginning in or about January 2017, CBS (by Mr. Kadro) directed Ms. Wei to also provide support to Mr. Rose, then a co-anchor on *CBS This Morning*.

58. On or about May 10, 2017, CBS (by Mr. Kadro) reassigned Ms. Wei to report directly to Mr. Rose.

59. Upon information and belief, Mr. Kadro knew that Mr. Rose had a history of sexual harassment, but did not warn Ms. Wei about him.

60. From about May 10, 2017 through November 2017, Ms. Wei worked as a Broadcast Associate (a/k/a Anchor Assistant) for *CBS This Morning*, reporting to Mr. Rose.

61. At all relevant times, Ms. Wei was qualified for her position.

**F. Examples Of Sexual Harassment**

62. As noted above, at various times in 2017 through and including November 2017, Plaintiffs, all in their low 20s, all interacted with and/or reported to Mr. Rose, in his mid-70s.

63. Plaintiffs, due to their assigned positions and/or assigned job duties, were required to spend a substantial amount of time working with Mr. Rose, a well-known, powerful American television journalist and talk show host.

64. During Plaintiffs' employment, Mr. Rose subjected Plaintiffs to repeated, ongoing and unlawful physical and verbal sexual harassment, including without limitation: (a) sexual touching; (b) sexual comments; and (c) sexual advances.

65. A few examples of Mr. Rose's unlawful conduct include:

- (a) Mr. Rose advised Ms. Harris and Ms. McNeal that they were hired because he likes "tall women," *i.e.*, he was attracted to them.

- (b) Ms. Harris wore a mini skirt with images of roses on it and Mr. Rose advised Ms. Harris that the roses on her skirt are his roses.
- (b) Mr. Rose repeatedly sexually touched Plaintiffs, including without limitation caressing and touching their arms, shoulders, waist and back, pulling them close to his body, and kissing them on the cheek.
- (d) Mr. Rose repeatedly required Ms. Harris to have lunch and/or dinner with him and, during those occasions, Mr. Rose sexually touched Ms. Harris, including placing his hands on her thigh and kissing her cheek. He pointed at other women and called them prostitutes.
- (e) Mr. Rose required Ms. McNeal to join him and Ms. Harris for dinner and Mr. Rose sexually touched Ms. McNeal, including placing his hands on her thigh and kissing her cheek.
- (f) Mr. Rose repeatedly asked Ms. Harris and Ms. McNeal about their sex lives and directed them to share details with him.
- (g) Mr. Rose repeatedly boasted of his sexual conquests, telling Plaintiffs words to the effect of “you should have seen the women that I was with when I was younger.”
- (h) Mr. Rose suggested to Ms. Harris and Ms. McNeal that they have sex with each other and told them words to the effect of, “You just need to become lovers already,” indicating that he was having sexual fantasies about them.
- (i) Mr. Rose ordered Ms. Harris and Ms. McNeal to visit his home in Bellport, N.Y., allegedly for an errand. He told them “I better not hear any stories about two young women swimming naked together” in his swimming pool, indicating that he was having sexual fantasies about them.
- (j) Mr. Rose referred to Ms. Wei as “China Doll,” a fetish term.
- (k) Mr. Rose caressed Ms. Wei’s arms when she handed him papers and would say “I love the way you do that.”
- (l) Mr. Rose whispered, in Ms. Wei’s ear, in a sexual manner, “Happy Birthday Dear.”
- (m) Mr. Rose, while at the CBS Studios, insisted on kissing his three female subordinates, including Ms. Wei, before leaving for a Summer vacation.
- (n) Mr. Rose demanded that Ms. Harris to come to his apartment late at night.

66. Mr. Rose openly engaged in unlawful sexual harassment against Plaintiffs during business hours, at the CBS Studios, at Charlie Rose Studios, as well as offsite.

67. Defendants’ conduct, and in particular Mr. Rose’s conduct, was unwelcome and offensive and created a hostile work environment.

68. CBS Management, numerous broadcasters and studio staff witnessed Mr. Rose's unlawful conduct, while he was employed by CBS.

69. Plaintiffs opposed, objected to and/or complained about Mr. Rose's unlawful behavior and complaints were made to, among others, Mr. Kadro and Maria Cottone ("Ms. Cottone"), Human Resources, CBS.

70. For example, Ms. Wei complained to Mr. Kadro about Mr. Rose requiring Ms. Harris to frequently leave the CBS Studios to have private meals with him, and that the amount of attention that Mr. Rose was paying to Ms. Harris outside of the office was unusual.

71. Ms. Wei also told Mr. Kadro words to the effect of "I'm telling you in case you have a lawsuit on your hands."

72. Defendants knew or should have known of the unlawful conduct.

73. However, Defendants unlawfully failed and refused to take any remedial action and allowed Mr. Rose to continue to sexually harass Plaintiffs and Defendants' female employees.

74. Defendants also unlawfully retaliated against Plaintiffs.

75. At various times, Mr. Rose threatened to fire Plaintiffs, intimidated them and/or verbally abused them as part of his predatory behavior, sexual dominance over them, and retaliation against them. A few examples of his conduct include:

- (a) Mr. Rose told Ms. Harris that she lacked skills and talent and "I didn't know that I hired a fucking kindergartner;"
- (b) Mr. Rose told Ms. McNeal "you can't be a fucking idiot and have this job"; and
- (c) Mr. Rose told Ms. Wei she was a "fucking idiot" for booking a flight on a plane that did not have flat folding seats, when Ms. Wei had previously advised Mr. Rose of same before booking the flight.

76. Moreover, Mr. Kadro himself physically harassed Ms. Wei at work.

77. During the week of May 2, 2017, Mr. Kadro approached Ms. Wei from behind, while Ms. Wei was seated at her desk and as an act of sexual harassment, kicked and shoved Ms. Wei's chair with substantial force, startling, intimidating and scaring Ms. Wei.

**G. Washington Post Articles, Termination And Ongoing Retaliation**

78. On or about November 20, 2017, the *Washington Post* published an article (the "November 2017 Article") about Mr. Rose's sexual harassment, entitled "Eight women say Charlie Rose sexually harassed them — with nudity, groping and lewd calls."

79. According to the November 2017 Article, *eight women* alleged that Mr. Rose sexually harassed them:

Eight women have told The Washington Post that longtime television host Charlie Rose made unwanted sexual advances toward them, including lewd phone calls, walking around naked in their presence, or groping their breasts, buttocks or genital areas. The women were employees or aspired to work for Rose at the "Charlie Rose" show from the late 1990s to as recently as 2011. They ranged in age from 21 to 37 at the time of the alleged encounters. Rose, 75, whose show airs on PBS and Bloomberg TV, also co-hosts "CBS This Morning" and is a contributing correspondent for "60 Minutes." There are striking commonalities in the accounts of the women, each of whom described their interactions with Rose in multiple interviews with The Post. For all of the women, reporters interviewed friends, colleagues or family members who said the women had confided in them about aspects of the incidents. Three of the eight spoke on the record.

80. The November 2017 Article identified several victims by name.

81. The November 2017 Article can be found at:

[https://www.washingtonpost.com/investigations/eight-women-say-charlie-rose-sexually-harassed-them--with-nudity-groping-and-lewd-calls/2017/11/20/9b168de8-caec-11e7-8321-481fd63f174d\\_story.html?noredirect=on&utm\\_term=.af0d1e3739d6](https://www.washingtonpost.com/investigations/eight-women-say-charlie-rose-sexually-harassed-them--with-nudity-groping-and-lewd-calls/2017/11/20/9b168de8-caec-11e7-8321-481fd63f174d_story.html?noredirect=on&utm_term=.af0d1e3739d6)

82. At all relevant times, Mr. Rose has maintained a Twitter Account.

83. On or about November 20, 2017, Mr. Rose published the following written statement on his Twitter Account at <https://twitter.com/charlierose?lang=en>, admitting among other items, that he had engaged in "inappropriate behavior" toward women with whom he worked:

Statement from Charlie Rose:

In my 45 years of journalism, I have prided myself on being an advocate for the careers of the women with whom I have worked. Nevertheless, in the past few days, claims have been made about my behavior toward some former female colleagues.

It is essential that these women know I hear them and that I deeply apologize for my inappropriate behavior. I am greatly embarrassed. I have behaved insensitively at times, and I accept responsibility for that, though I do not believe that all of these allegations are accurate. I always felt that I was pursuing shared feelings, even though I now realize I was mistaken.

I have learned a great deal as a result of these events, and I hope others will too. All of us, including me, are coming to a newer and deeper recognition of the pain caused by conduct in the past, and have come to a profound new respect for women and their lives.

84. In addition, when the November 2017 Article was published, Mr. Rose held a meeting with his staff and *admitted* that he had sexually harassed female employees, stating among other items, words to the effect of “some of the stories are true.”

85. While Mr. Rose knows that he engaged in unlawful sexual harassment, he feels no remorse for his conduct.

86. On or about November 20, 2017, while Mr. Rose was walking toward the entrance of his apartment building, a reporter approached him.

87. A video of the encounter can be found at:  
<http://www.t TMZ.com/2017/11/21/charlie-rose-sexual-assault-harassment/>

88. According to the video, the reporter asked Mr. Rose about the allegations of wrongdoing against him and Mr. Rose, in an *unscripted* moment, grinned and replied that there were no “wrongdoings,” demonstrating that he feels no remorse for his unlawful conduct.

89. On or about November 22, 2017, the *New York Post* published an article entitled “Ex-intern says Rose made her watch S&M movie scene,” which can be found online at:  
[https://nypost.com/2017/11/22/ex-intern-says-rose-made-her-watch-sm-scene-in-movie/?\\_ga=2.229166367.2025837284.1523114083-amp-I271B9yBfpXXSv4go8jBfLCzBi\\_ht\\_Cy0sC\\_-FElubvlQKp8WDyZ80wtPHo0gzZ](https://nypost.com/2017/11/22/ex-intern-says-rose-made-her-watch-sm-scene-in-movie/?_ga=2.229166367.2025837284.1523114083-amp-I271B9yBfpXXSv4go8jBfLCzBi_ht_Cy0sC_-FElubvlQKp8WDyZ80wtPHo0gzZ)

90. Upon information and belief, in November 2017, CBS terminated Mr. Rose's employment because the *Washington Post's* publication of the November 2017 Article widely exposed Mr. Rose's unlawful sexual harassment, spanning decades, during his tenure with CBS.

91. Rose, after the November 2017 Article, subsequently terminated the employment of Ms. Harris and Ms. McNeal.

92. CBS did not offer alternate positions to Ms. Harris or Ms. McNeal.

93. Notwithstanding the above, Rose continued to seek to contact Plaintiffs by telephone and e-mail.

94. For example, on or about November 24, 2017, Mr. Rose sent an e-mail to Ms. Wei stating, among other items, "my relationship with you is the man I am in all my relationships."

95. On or about November 30, 2017, Ms. Wei filed a complaint with Ms. Cottone (Human Resources, CBS) against Mr. Rose and Mr. Kadro.

96. At that time, Ms. Wei was working as an Anchor Assistant on *CBS This Morning*.

97. Ms. Cottone told Ms. Wei that CBS would immediately disclose her complaint to Mr. Kadro, would investigate the complaint, and would get back to Ms. Wei.

98. Upon information and belief, CBS immediately disclosed Ms. Wei's complaint to Mr. Kadro, did not investigate the complaint, and did not take any remedial action.

99. CBS never got back to Ms. Wei about her complaint.

100. Instead, CBS, including without limitation by the actions of Mr. Kadro, unlawfully retaliated against Ms. Wei, examples of which are below.

101. In January 2018, CBS questioned the accuracy of Ms. Wei's timesheets.

102. On or about January 30, 2018, CBS told Ms. Wei that she will be replaced as an Anchor Assistant and is ineligible to apply for an open Anchor Assistant position supporting Anchor John Dickerson.

103. On or about February 12, 2018, CBS told Ms. Wei that she will no longer be working with the Anchor Teams.
104. Ms. Wei became ill as a result of CBS's unlawful conduct.
105. Ms. Wei was absent from work from February 13, 2018 to February 25, 2018.
106. On February 13, 2018, CBS sent an e-mail to Ms. Wei indicating that her personal property would be removed from the Anchor Assistant desk where she had previously worked.
107. In mid-February 2018, Plaintiffs, by their counsel, sent a letter to Defendants.
108. On February 26, 2018, Ms. Wei returned to work.
109. CBS continued its unlawful conduct against Ms. Wei.
110. At that time, CBS *confined* Ms. Wei to an *entry level position* at the Broadcast Associate Desk and then *falsely* accused her of being derelict in her duties, stating: "You are supposed to be at the BA Desk and I don't see you?"
111. Ms. Wei's health further declined as a result of CBS's unlawful conduct.
112. On or about March 1, 2018, Ms. Wei commenced a medical leave of absence.
113. In or about mid-March 2018, CBS contacted Ms. Harris and Ms. Wei.
114. Upon information and belief, CBS did so to deter Plaintiffs from pursuing claims.
115. Upon information and belief, at various other times, CBS: (a) discriminated against and harassed other female employees; (b) retaliated against other employees that engaged in protected activity, and (c) intimidated and/or threatened victims of discrimination and retaliation to deter them from pursuing their protected legal rights as victims.
116. Upon information and belief, in addition to the eight (8) victims of Mr. Rose's sexual harassment identified by November 2017 Article, there were many more victims of such conduct.
117. Upon information and belief, in addition to Mr. Rose, one or more other high level male executives at CBS committed acts of sexual harassment against women.

118. On May 3, 2018, the *Washington Post* published a second article, entitled *Charlie Rose's misconduct was widespread at CBS and three managers were warned, investigation finds*, which article can be found at

[https://www.washingtonpost.com/charlie-roses-misconduct-was-widespread-at-cbs-and-three-managers-were-warned-investigation-finds/2018/05/02/80613d24-3228-11e8-94fa-32d48460b955\\_story.html?utm\\_term=.a9b1e8dd2ffa](https://www.washingtonpost.com/charlie-roses-misconduct-was-widespread-at-cbs-and-three-managers-were-warned-investigation-finds/2018/05/02/80613d24-3228-11e8-94fa-32d48460b955_story.html?utm_term=.a9b1e8dd2ffa)

**H. Summary**

119. Defendants unlawfully discriminated against Plaintiffs in compensation, terms, conditions and/or privileges of employment, because of gender and sex and unlawfully retaliated and discriminated against them because they engaged in protected activity.

120. Defendants unlawfully harassed Plaintiffs.

121. Plaintiffs engaged in protected activity by opposing, objecting to and/or complaining about unlawful discrimination/harassment.

122. Defendants failed to investigate the matter and/or failed to timely investigate the matter.

123. Defendants failed to take any remedial action, failed to timely take remedial action and/or failed to take proper remedial action.

124. Defendants unlawfully discriminated against, harassed and retaliated against Plaintiffs.

125. Defendants treated Plaintiffs less well, differently, and less favorably, than other employees and employees outside their protected classes, and subjected them to discrimination, harassment and retaliation not perpetrated against other employees and employees outside their protected classes.

126. Discrimination, harassment and retaliation played a role in decisions regarding Plaintiffs' employment.

127. Defendants knew or should have known of the unlawful discrimination, harassment and retaliation and failed to exercise reasonable care to prevent and correct same.

128. Defendants engaged in, caused, perpetrated, committed, authorized, directed, participated in, supported, ratified, approved, condoned and/or coerced the unlawful conduct alleged herein.

129. Defendants aided, abetted, incited, compelled or coerced unlawful discrimination and/or unlawful retaliation, or to attempted to do so.

130. Defendants' proffered reason for the conduct was a pretext for unlawful discrimination and unlawful retaliation.

131. As a result of Defendants' unlawful conduct, each Plaintiff has suffered and continues to suffer damages.

### **COUNT ONE**

#### **(NYCHRL - DISCRIMINATION AND HARASSMENT)**

132. Plaintiffs repeat and reallege every allegation in the preceding paragraphs of this Complaint with the same force and effect as though fully set forth herein.

133. This Count is brought under the NYCHRL, N.Y.C. Admin. Code § 8-101 *et seq.*

134. At all relevant times herein, CBS and Rose are each an "employer," "covered entity" and a "person" within the meaning of the NYCHRL, and are liable as "joint employers."

135. At all relevant times herein, Mr. Rose and each Plaintiff were each a "person" within the meaning of the NYCHRL.

136. Defendants' conduct, as alleged herein, constituted unlawful discriminatory practices, unlawful discrimination based on gender and sex, unlawful harassment, and unlawful aiding and abetting thereof, in violation of the NYCHRL.

137. Defendants' conduct, as alleged herein, amounts to willful or wanton negligence or recklessness or involves a conscious disregard of the rights of others or conduct so reckless as to amount to such disregard.

138. Defendants are each liable for the unlawful conduct herein both as an “employer” under NYCHRL § 8-107(1) and under the “aiding and abetting” provisions of NYCHRL § 8-107(6).

139. As a result of Defendants’ unlawful conduct, Plaintiffs have suffered and continue to suffer injury, with resulting monetary, economic and other damages, including without limitation, lost wages and bonuses, lost benefits, lost interest and attorneys’ fees and costs.

140. As a further result of Defendants’ unlawful conduct, Plaintiffs have suffered and continue to suffer, among other items, injury, impairment and damage to their good name and reputation, emotional distress, mental anguish, emotional pain, suffering, inconvenience, loss of enjoyment of life, and lasting embarrassment and humiliation. Plaintiffs are entitled to recover damages for such injuries from the Defendants.

141. Plaintiffs are entitled to recover such monetary and other damages, punitive damages, interest, and attorneys’ fees and costs from the Defendants.

## COUNT TWO

### (NYCHRL - RETALIATION)

142. Plaintiffs repeat and reallege every allegation in the preceding paragraphs of this Complaint with the same force and effect as though fully set forth herein.

143. This Count is brought under the NYCHRL, N.Y.C. Admin. Code § 8-101 *et seq.*

144. Defendants’ conduct, as alleged herein, constituted unlawful retaliation, and unlawful aiding and abetting thereof, in violation of the NYCHRL.

145. Defendants’ conduct, as alleged herein, amounts to willful or wanton negligence or recklessness or involves a conscious disregard of the rights of others or conduct so reckless as to amount to such disregard.

146. Defendants are each liable for the unlawful conduct herein both as an “employer” under NYCHRL § 8-107(1) and under the “aiding and abetting” provisions of NYCHRL § 8-107(6).

147. As a result of Defendants' unlawful conduct, Plaintiffs have suffered and continue to suffer injury, with resulting monetary, economic and other damages, including without limitation, lost wages and bonuses, lost benefits, lost interest and attorneys' fees and costs.

148. As a further result of Defendants' unlawful conduct, Plaintiffs have suffered and continue to suffer injury, among other items, injury, impairment and damage to their good name and reputation, emotional distress, mental anguish, emotional pain, suffering, inconvenience, loss of enjoyment of life, and lasting embarrassment and humiliation. Plaintiffs are entitled to recover damages for such injuries from the Defendants.

149. Plaintiffs are entitled to recover such monetary and other damages, punitive damages, interest, and attorneys' fees and costs from the Defendants.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs request judgment on all Counts, as follows:

- (A) Enter a judgment in favor of each Plaintiff on her claims against Defendants;
- (B) Award each Plaintiff as against Defendants, jointly and severally, the amount of wages, including without limitation wages, back pay, front pay, bonuses, benefits, and interest lost as a result of Defendants' unlawful conduct;
- (C) Award each Plaintiff as against Defendants, jointly and severally, consequential damages for losses resulting from Defendants' unlawful conduct;
- (D) Award each Plaintiff as against Defendants, jointly and severally, compensatory damages for, among other items, injury, impairment and damage to her good name and reputation, emotional distress, mental anguish, emotional pain, suffering, inconvenience, loss of enjoyment of life, lasting embarrassment and humiliation, and other pecuniary and nonpecuniary losses;
- (E) Award each Plaintiff as against Defendants, jointly and severally, punitive damages;

(F) Award each Plaintiff as against Defendants, jointly and severally, the costs of this action, together with reasonable attorneys' fees;

(G) Award each Plaintiff any and all other damages provided by the applicable statutes and applicable law; and

(H) Award each Plaintiff such further legal relief as may be just and proper.

Dated: New York, New York  
May 4, 2018

By: GOLDBERG & FLIEGEL LLP  
/s/ Kenneth A. Goldberg  
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