

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

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INDEX NO.:

Hyosun Kim,

Plaintiff,

-against-

SUMMONS

John Nwankwo Ikechi

Defendant.

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To the Person(s) Named as Defendant(s) Above:

PLEASE TAKE NOTICE THAT YOU ARE HEREBY SUMMONED to answer the Complaint of the Plaintiff herein and to serve a copy of your answer on the Plaintiff the address indicated below within 20 days after the service of this Summons (not counting the day of service itself), or within 30 days after service is complete if the Summons is not delivered personally to you within the State of New York.

YOU ARE HEREBY NOTIFIED THAT should you fail to answer, should you fail to answer, a judgment will be entered against you by default for the relief demanded in the Complaint.

VENUE: Plaintiff designates New York County as the place of trial. The basis of this designation is CPLR § 503: Plaintiff's place of business is located at 9 West 32nd Street, New York, New York 10001.

Dated: April 13, 2017

KIM & BAE, P.C.

By:



Farzad Ramin
Kim & Bae, P.C.
2160 North Central Road, Suite 303
Fort Lee, New Jersey 07024
Attorney for Plaintiff

TO:

John Nwanko Ikechi
160 Madison Ave, Apt. 18E, New York, New York

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

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Hyosun Kim,

Plaintiff,

INDEX NO.:

Civil Action

COMPLAINT

-against-

John Nwankwo Ikechi

Defendant.

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Plaintiff, HYOSUN KIM, by and through her attorneys, Kim & Bae, P.C.,
complaining of the Defendant, JOHN NWANKO IKECHI, respectfully alleges the
following:

THE PARTIES.

1. The Plaintiff, Hyosun Kim, is an individual, who resides at 400 West 37th Street, Apt. 12W, New York, New York.
2. The Defendant, John Nwanko Ikechi, is an individual who resides at 160 Madison Avenue, Apt. 18E, New York, New York.

JURISDICTION AND VENUE.

3. Jurisdiction lies in the Court pursuant to CPLR § 301.

4. Venue is laid in the County of New York, based on the residence of the Plaintiff and the Defendant, who both reside in the County of New York, State of New York, pursuant to CPLR § 503.

FACTUAL STATEMENT.

GENERAL FACTUAL BACKGROUND.

5. In or about April 2016, Plaintiff and Defendant were engaged in a consensual dating relationship.

6. During the course of their romantic relationship, Plaintiff and Defendant routinely engaged in sexual intercourse.

7. On or about May 21, 2016, after engaging in unprotected sexual intercourse with Defendant, Plaintiff discovered a discarded box from oral contraceptives in Defendant's garbage can, to wit, medication commonly known as the "Plan B" pill.

8. The Plan B pill is an oral medication that is taken after unprotected sexual intercourse to prevent pregnancy, which is effective only when taken within 72 hours of unprotected sexual intercourse.

9. At one time, the Plan B pill was only available by a physician's prescription. It is currently available over the counter.

10. Upon discovery of the contraceptives in Defendant's garbage can, Plaintiff immediately confronted Defendant, as she had no idea where these pills had come from.

11. Plaintiff believed Defendant had been unfaithful to her, as she was not utilizing any method of birth control at the time.

12. When confronted, Defendant revealed to Plaintiff's complete shock that he had deceptively diluted and mixed the Plan B contraceptive pill in Plaintiff's beverage because he "did not want to her pregnant."

13. Defendant confessed to Plaintiff that he was aware she would never have voluntarily agreed to take the Plan B pill and told her that this was the only way he could get her to ingest same.

14. Plaintiff was horrified that her boyfriend would deceive her in this way.

15. Plaintiff told Defendant that she never agreed to take the Plan B pill and demanded that he explain why he had put medication in her beverage without her knowledge or consent.

16. Defendant told Plaintiff that this was the only way that he could get her to ingest the drug.

17. Defendant was aware and admitted that Plaintiff would not have freely given her consent to voluntarily take the Plan B pill.

18. After learning what Defendant had done, Plaintiff terminated their relationship.

19. Thereafter, Plaintiff was so jarred and upset by the fact that her boyfriend had drugged her that she suffered extreme emotional and mental distress, for which she sought medical treatment.

20. At no point in time did Defendant gave Plaintiff any meaningful opportunity to make a choice regarding ingesting this medication voluntarily.

21. In actuality, Defendant knew that Plaintiff would never voluntarily ingest this drug so he diluted same in her beverage and manipulated Plaintiff into drinking it so that he could force her to take the pill against her will and without her consent.

22. Defendant is a licensed medical doctor in the State of New York making his conduct all the more egregious, as any doctor in the State of New York knows or should have reason to know that an individual cannot be forced to ingest medication without his or her consent.

AS AND FOR A FIRST CAUSE OF ACTION – ASSAULT AND BATTERY

23. The Plaintiff repeats, and realleges, all of the allegations above, as if set forth verbatim and at length.

24. By concealing and placing a medication and/or pill in Plaintiff's beverage without her knowledge or consent, which beverage Defendant told Plaintiff to ingest and she did so ingest, Defendant intended to cause and did cause a harmful contact with Plaintiff's person.

25. Plaintiff did not consent to Defendant's act.

26. As a direct and proximate result of Defendant's conduct, Plaintiff was caused to suffer injuries. Plaintiff has also suffered extreme mental and emotional anguish and physical pain.

27. As a direct and proximate result of Defendant's conduct, Plaintiff was required to obtain medical services and treatment and will in the future be compelled to incur additional obligations for medical treatment in an amount to be determined at trial.

28. As a direct and proximate result of the conduct of Defendant, Plaintiff suffered damages, both direct and consequential, including compensatory and punitive damages, pre-judgment and post-judgment interest, costs of suit, attorney's fees, and was harmed in diverse other ways.

**AS AND FOR A SECOND CAUSE OF ACTION – INTENTIONAL INFLICTION
OF EMOTIONAL DISTRESS**

29. The Plaintiff repeats, and realleges, all of the allegations above, as if set forth verbatim and at length.

30. By his own statements, the Defendant admitted that he diluted, concealed and forced Plaintiff to ingest medication hidden in a beverage without her knowledge or consent.

31. Such conduct was extreme and outrageous and exceeded the bounds of human decency.

32. Defendant's conduct resulted in severe mental, emotional and physical anguish to Plaintiff.

33. As a direct and proximate result of the conduct of Defendant, Plaintiff suffered damages, both direct and consequential, including compensatory and punitive

damages, pre-judgment and post-judgment interest, costs of suit, attorney's fees, and was harmed in diverse other ways.

**AS AND FOR A THIRD CAUSE OF ACTION -
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

34. The Plaintiff repeats, and realleges, all of the allegations above, as if set forth verbatim and at length.

35. Defendant owed Plaintiff a duty of reasonable care, which at a minimum, involved taking steps necessary to ensure Plaintiff's safety and well being and not to cause her harm.

36. Defendant breached his duty of care when he knowingly concealed drugs in Plaintiff's beverage and caused her to ingest same without her knowledge or consent.

37. As a direct consequence of Defendant's willful conduct, Plaintiff suffered harm.

38. As a direct and proximate result of the conduct of Defendant, Plaintiff suffered damages, both direct and consequential, including compensatory and punitive damages, pre-judgment and post-judgment interest, costs of suit, attorney's fees, and was harmed in diverse other ways.

WHEREFORE, Plaintiffs respectfully demands that judgment, in the amount of five million dollars, and no cents (\$5,000,000.00), against all Defendants, and each and every Defendant, jointly and severally, be entered as follows:

A. Compensatory damages;

- B. Punitive damages;
- C. Costs of suit to pursue this action, including expert fees and reasonable attorneys' fees;
- D. Pre-judgment and post-judgment interest;
- E. Impressment of a constructive trust; and
- F. Such other and different relief as this Court deems just and proper.

New York, New York

Dated: 4/13/2017

By: 

Farzad Ramin, Esq.

KIM & BAE P.C.

Attorneys for Plaintiffs

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