

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

SCOTT STRINGER,

Plaintiff,

v.

JEAN KIM,

Defendant.

Index No. _____

COMPLAINT AND JURY DEMAND

Plaintiff SCOTT STRINGER (“Plaintiff” or “Stringer”), by and through his attorneys at Walden Macht & Haran, alleges as follows:

INTRODUCTION

1. This is a case about how the defendant, JEAN KIM (“Kim”), working with JOHN and JANE DOE(s), derailed Plaintiff’s 2021 New York City mayoral campaign and has done irreparable harm to him and his political future by spreading vicious lies, accusing him of a sexual assault two decades ago.

2. In doing so, Kim smeared Mr. Stringer’s integrity and reputation—all on a public stage: in the leadup to a widely-watched and highly-anticipated New York City Democratic primary.

3. Since April 2021, Kim has intentionally and consistently made false and defamatory statements accusing Mr. Stringer of this heinous conduct.

4. On information and belief, as recently as August 2022, Kim continued to perpetuate this attack on Mr. Stringer by causing these false and defamatory statements to be republished through Congresswoman Carolyn Maloney.

5. Each of these statements was false; Kim knew that these statements were false. Each of them was defamatory.

6. Kim authorized, intended, and/or reasonably should have expected that her defamatory statements would be republished.

7. Kim's defamatory statements injured Mr. Stringer, causing substantial personal and professional harm and derailing his career in public service.

8. Mr. Stringer files this lawsuit to obtain redress for these injuries and to ensure Kim ceases, and is held accountable for her ongoing smear campaign.

THE PARTIES

9. Plaintiff Scott Stringer has dedicated his life to serving the people of New York City. He served in the New York State Assembly from 1992 to 2005. He then served as Manhattan Borough President from 2005 to 2013. From 2013 to 2021, he served as Comptroller for New York City. He also ran in the 2021 Democratic mayoral primary for New York City but was ultimately unsuccessful. He is a resident of the State of New York.

10. On information and belief, Defendant Jean Kim works at a not-for-profit organization and is a resident of the State of New York.

JURY DEMAND

11. Mr. Stringer hereby demands a trial by jury.

JURISDICTION & VENUE

12. This Court has jurisdiction pursuant to N.Y. C.P.L.R. § 301.

13. Venue is proper in this county pursuant to N.Y. C.P.L.R. § 503 and § 509.

FACTUAL ALLEGATIONS

I. Kim and Stringer Meet and Engage in a Consensual Relationship

14. New York City's Upper West Side was a hub for young, liberal political aspirants in the early 1990s. Then a dedicated state assemblyman, Mr. Stringer was deeply involved in two local Democratic organizations: Community Free Democrats ("CFD"), a club based in the Upper West Side, and DL21c, a network of young, urban professionals. Kim was also involved in the CFD and DL21c during a time period that overlapped with Mr. Stringer's. It was through these groups that Mr. Stringer first met Kim.

15. In 2001, Mr. Stringer and Kim were also engaged in a casual relationship. During their months-long on-and-off relationship, Mr. Stringer and Kim were seen together at social events acting amorous.

16. Also in 2001, Mr. Stringer entered the race to become New York City Public Advocate. The campaign, which was headquartered at CFD's Upper West Side office, relied on the efforts of volunteers and interns.

17. Volunteers were primarily adults, many of whom had pre-existing relationships with Mr. Stringer. They were not contracted to work for the campaign and, because of their experience, were subject to less oversight. It was not uncommon for volunteers to socialize with one another in the evenings, once the day's campaign events concluded.

18. Interns for Mr. Stringer's Public Advocate campaign were exclusively high school and college students. Unlike volunteers, interns were subject to more supervision and treated more like employees of the campaign.

19. Kim volunteered for Mr. Stringer's Public Advocate campaign. She was never an intern and was never supervised or employed by Mr. Stringer.

20. Indeed, at the time Kim volunteered for the campaign, she was approximately 30 years old—older than any intern. In addition, she had previously served on the DL21c steering committee and was a key CFD organizer who was “integrated into the very firmament of what we were doing,” according to a longtime New York political operative.

21. Moreover, in or about August 2001, Kim was the campaign coordinator of the Upper West Side—a position that would not have been given to an intern of high school or college age. In this position, Kim was responsible for recruiting volunteers and get-out-the-vote efforts on the Upper West Side.

22. For years, Kim remained active in Upper West Side politics and supported Mr. Stringer in his subsequent professional endeavors. On information and belief, in addition to her work as a political lobbyist, Kim volunteered on Mr. Stringer’s 2005 campaign for Manhattan Borough President. Additionally, New York City Campaign Finance Board records show that Kim donated to Mr. Stringer’s 2009 campaign for Manhattan Borough President and his 2013 campaign for New York City Comptroller.

II. Kim Unsuccessfully Applies for a Position in Stringer’s Campaign for Comptroller

23. In 2013, Mr. Stringer ran for New York City Comptroller. The Democratic primary became a heated race when former Governor Eliot Spitzer announced his candidacy in July 2013, two months before the election.

24. At or around the time that Spitzer entered the race, Kim submitted her resume to the Stringer campaign, seeking a paid position on the campaign for Comptroller. Mr. Stringer’s campaign did not have the funds to extend Kim an offer. Shortly thereafter, Kim accepted a position with the Spitzer campaign.

25. Mr. Stringer defeated Spitzer in the primary and went on to serve as New York City Comptroller for eight years.

III. Kim's Fake Story Derails Stringer's Campaign for Mayor

A. Stringer's Campaign Gains Momentum

26. On September 8, 2020, Mr. Stringer announced his plans to enter the Democratic primary for the 2021 New York City mayoral election.

27. The Stringer campaign gained momentum in the Spring of 2021. Local polls placed him near the top of the crowded, 13-way contest. For example, a NY1/Ipsos poll of likely Democratic primary voters, conducted during April 1 to April 15, 2021, ranked Mr. Stringer in third place, at 11%, just behind Eric Adams, at 13%, and Andrew Yang, at 22%.

28. Around the same time, Mr. Stringer received several notable endorsements. On April 14, 2021, the New York Chapter of the Working Families Party endorsed Mr. Stringer. On April 19, 2021, the United Federation of Teachers also endorsed him. Many high-level staffers in the Stringer campaign expected Mr. Stringer to receive the coveted New York Times endorsement, which was due to be announced imminently.

29. The Stringer campaign was scheduled to launch its first TV commercial on April 28, 2021. But, on the eve of airing the ad, the campaign received word from a reporter that a woman planned to come forward the next day to levy allegations of sexual assault against Mr. Stringer.

B. Kim Falsely Accuses Stringer of Sexual Assault

30. On April 28, 2021, outside the David Dinkins Municipal Building in Manhattan, Kim held a press conference and claimed publicly, for the first time, that Mr. Stringer had sexually assaulted her 20 years earlier, during his campaign for Public Advocate. The press conference was strategically timed, occurring as the Stringer campaign was rising in the polls, set to air its largest commercial, and well-positioned to earn the endorsement of the New York Times.

31. Kim alleged that the sexual misconduct had occurred while she “worked as an unpaid intern” on Mr. Stringer’s campaign for Public Advocate. She also said:

- “He inappropriately and relentlessly pursued a sexual relationship with me.”
- “I had been introduced to Scott Stringer by Eric Schneiderman and I then joined the Community Free Democratic Club which was headed by Stringer.”
- “During [Stringer’s] campaign, I traveled back and forth to campaign events with him. Scott Stringer repeatedly groped me, put his hands on my thighs and between my legs and demanded to know why I wouldn’t have sex with him.”
- “He kept saying, ‘Why won’t you f*** me? Why won’t you f*** me?’”
- “I was talking to Stringer about the primary when without warning, and without my consent, he kissed me using his tongue, put his hand down my pants and groped me inside my underpants. I pulled away and tried to avoid him. He warned me not to tell anyone about it.”

32. Kim’s statements were false:

- Kim was never an intern. Rather, she was a volunteer who was never supervised or employed by Mr. Stringer.
- Mr. Stringer did not inappropriately or relentlessly pursue Kim. Kim was Mr. Stringer’s peer with whom he had an on-and-off consensual relationship for several months.
- Kim did not meet Mr. Stringer through Schneiderman, but through their work at Upper West Side clubs CFD and DL21c.
- Mr. Stringer did not sexually assault Kim. He did not grope Kim or put his hand down Kim’s pants without warning and without her consent.

33. At a press conference held by Mr. Stringer later that day, on April 28, 2021, Mr. Stringer unequivocally denied the allegations. Mr. Stringer stated that he had an “on-and-off” relationship with Kim that spanned four to five months. Mr. Stringer explained that it was a “light relationship” with “a peer.” At the time, he was 41. Ms. Kim was 30. They were both unmarried. Mr. Stringer noted that he had an “amicable” relationship with Kim until 2013, when she approached him for a job. Mr. Stringer explained that “she didn’t get the job. There wasn’t a

place for her on the campaign. After that, we weren't as friendly as we were," and Kim joined his opponent's campaign.

34. Mr. Stringer also denied that Kim had been an intern, stating that "she was absolutely not an intern on the [public advocate] campaign. Our internship program was made up of college students. She was not a part of that."

35. Kim, who also performs stand-up comedy, continued her attack on Mr. Stringer in her routines. During a Zoom comedy show on April 29, 2021, the day after her press conference, Kim joked: "I don't want to sound like a cliché, but I had to MeToo one of the politicians I used to work with because he couldn't keep his thing in his pants," referring to Mr. Stringer. "I was all over the news because I was part of this MeToo press conference."

36. Despite Mr. Stringer's denials, Kim's defamatory statements were widely reported by national and local press.

37. On May 4, 2021, Kim, through her attorney, filed an official complaint with New York Attorney General Letitia James, requesting James' office investigate her allegations.

38. In an interview with WNYC on May 5, 2021, Mr. Stringer said he welcomed an investigation into Kim's claims.

39. To date, nothing has come of Kim's complaint to the Attorney General.

40. Within a week of Kim's April 28, 2021 press conference, many of the inconsistencies and falsehoods in her story began to be revealed. For starters, Kim first met Mr. Stringer in the 1990s, not in 2001 through Eric Schneiderman. Sources who worked or volunteered on Mr. Stringer's public advocate campaign also confirmed that Kim and Mr. Stringer were in a casual relationship at that time. And the field director for Mr. Stringer's public advocate campaign confirmed that Kim was a volunteer, not an intern as she claimed. Records from the New York

City Campaign Finance Board confirmed Kim even donated to Mr. Stringer's campaign in May 1999.

41. The media continued to report on, and republish, Kim's claims after her initial press conference.

42. Additionally, Kim gave exclusive interviews to media outlets in which she repeated her claims. For example, the New York Times published an interview with Kim on May 9, 2021, in which Kim said:

- Mr. Stringer "had abused a position of power to make unwanted advances."
- "He constantly reminded me of his power by saying things like, 'You want me to make a phone call for you to change your life,' 'You want me to make you the first Asian district leader... There was no doubt in my mind that he was powerful and he could make or break me.'"

43. These statements were false.

44. In making and repeating these statements at a public press conference and to the press, Kim authorized, intended, and/or reasonably should have expected her statements to be republished.

45. It also came to light that as early as March 2021, Kim was collecting signatures for a slate of Democratic candidates, including New York City mayoral contender Andrew Yang.

46. For months, Kim republished her statement on social media. On May 12, 2021, Kim appeared with other New York State politicians and candidates to discuss with local press the challenges and importance of women sharing their stories of sexual abuse. Kim's Instagram post included the following hashtags: #voteanyonebutScottStringer and #keepsexualpredatorsoutofoffice. On May 18, 2021, Kim posted a decades-old photo on Instagram of Kim, Schneiderman and Mr. Stringer campaigning. The caption said, "Birds of a feather flock together," referring to past allegations against Schneiderman of sexual assault. Kim

also posted the hashtag “#StringerandMattGaetz”; at the time, Rep. Matt Gaetz was under investigation for sex trafficking.

IV. Kim’s False Story is Republished in August 2022

47. On August 3, 2022, Kim was seen at a campaign event with Congresswoman Carolyn Maloney. At the time, Maloney was running against Congressman Jerry Nadler in the Democratic primary for New York’s 12th Congressional District.

48. Nadler is a mentor to Mr. Stringer, dating back to the 1980s, when Mr. Stringer was an aide to then-State Assemblymember Nadler.

49. In the days leading up to the Maloney-Nadler primary and trailing by as much as 20 points in the polls, Maloney desperately sought to distinguish herself from Nadler. To do so, she weaponized Kim’s allegations against Mr. Stringer and used them to attack Nadler. And in so doing, she smeared Mr. Stringer and republished Kim’s false and defamatory allegations.

50. It was reasonably foreseeable that after Kim met with and spoke to Maloney at her campaign event, her false and defamatory statements would be repeated.

51. In a New York Post article published on August 20, 2022, Maloney was quoted as saying the following about Nadler: “Someone who claims to fight for women’s rights but openly campaigns with a man accused of sexual assault is not who voters should send back to Washington during an extremely fragile moment for women’s rights.” The “man” Maloney referred to was Mr. Stringer.

V. Stringer Suffers Reputational and Other Harm

52. Kim’s false and insulting statements about Mr. Stringer were defamation *per se*. They tended to (and did) damage Mr. Stringer in his trade, occupation, and/or business, and they were defamatory on their face without reference to any extrinsic information.

53. Mr. Stringer has suffered harm as a direct result of Kim's false, defamatory statements.

54. Kim has used her platform to attack his integrity, condemn him as a liar, and wage a multi-year political smear campaign.

55. These defamatory statements have caused Mr. Stringer emotional pain and suffering, as well as injury to his reputation, honor, and dignity.

56. Mr. Stringer has suffered professional harm as a direct result of Kim's defamatory statements. By making these false allegations on the eve of the 2021 New York City Democratic mayoral primary, Mr. Stringer lost several endorsements, including the New York Chapter of the Working Families Party. State Senators Jessica Ramos and Jabari Brisport also rescinded their endorsements.

57. Mr. Stringer similarly lost the support and goodwill of his supporters and constituents. Many voters were turned off by the notion of supporting a man against whom sexual assault allegations were made. A poll conducted in the wake of Kim's allegations showed a decline in support for Mr. Stringer. Media outlets also observed that the scandal sunk his mayoral campaign. On April 30, 2021, the New York Times reported that Kim's allegations opened up the race: "Mr. Stringer's campaign faces a moment of crisis, just as he had appeared to catch momentum — and some on the left fear that the fallout will help more moderate candidates like Andrew Yang or Eric Adams, the Brooklyn borough president, win the primary."

58. Mr. Stringer is a career public servant whose reputation is the very core of his trade. Kim's defamatory statements and their republication have therefore inflicted wide-ranging and substantial harm.

59. Mr. Stringer seeks redress for those injuries.

CAUSE OF ACTION: DEFAMATION

60. Plaintiff Stringer incorporates by reference all preceding paragraphs and re-alleges them as if set forth fully herein.

61. Kim published statements to the media on April 28, 2021.

62. Kim republished statements numerous times in the weeks that followed, both through the press, in an online comedy show and on social media.

63. It was reasonably foreseeable that, after Kim met and spoke with Congresswoman Carolyn Maloney on August 3, 2022, her false and defamatory statements would be repeated.

64. Maloney did, in fact, republish these defamatory statements on August 20, 2022.

65. Each of those statements identified—and was “of or concerning”—Mr. Stringer.

66. Each of those statements contained falsehoods about Mr. Stringer, whether on their face and/or by virtue of a clear implication affirmatively intended by Kim.

67. Kim’s false statements regarding Mr. Stringer were defamatory *per se*.

68. Kim’s false and defamatory statements were published throughout New York State and around the nation on television, in newspapers and magazines, on social media, and elsewhere in print and on the internet.

69. Kim ensured that her false and defamatory statements about Mr. Stringer would receive a wide circulation by alerting and making them available to the press.

70. Kim intended and/or reasonably expected that her statements to the press would be republished.

71. Kim made these false and defamatory statements knowing that they were false or with reckless disregard for their truth or falsity.

72. Kim made these false statements with ill will and spite, and with wanton, reckless, or willful disregard for their injurious effects on Mr. Stringer and Mr. Stringer’s rights.

73. Kim's false and defamatory statements caused Mr. Stringer to suffer reputational, emotional, and professional harm, as alleged above.

PRAYER FOR RELIEF

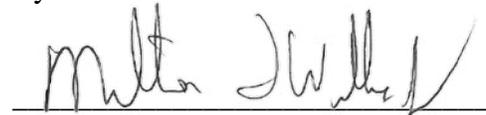
WHEREFORE, Mr. Stringer prays for relief as follows:

- a. Ordering Kim to retract any and all defamatory statements;
- b. Ordering Kim to pay compensatory damages in an amount to be determined at trial;
- c. Ordering Kim to pay punitive damages in an amount to be determined at trial; and
- d. Awarding pre- and post-judgment interest, costs, and such other and further relief as this Court may deem just and proper.

Dated: December 12, 2022

Respectfully submitted,

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