

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

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Katherine Brooks Harris and Sydney McNeal, :
: Index No.
Plaintiffs, :
- against - : **SUMMONS**
Bloomberg L.P., :
: Date Index No. Purchased:
Defendant. : June 9, 2020
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To The Above Named Defendant(s):

Bloomberg L.P.
731 Lexington 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 Plaintiffs' 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
June 9, 2020

Yours, etc.,
/s/ Kenneth A. Goldberg
Kenneth A. Goldberg
Goldberg & Fliegel, LLP
488 Madison Avenue, Suite 1120
New York, New York 10022
(212) 983-1077
Attorneys for Plaintiffs

10. Bloomberg aided and abetted Rose in his repeated and unlawful sexual harassment.
11. Bloomberg aided and abetted Rose in the unlawful conduct against Plaintiffs.
12. The unlawful, gender-based degrading and demeaning terms and conditions of Plaintiffs' employment as well as Bloomberg's allowance and condonation of Mr. Rose's unlawful behavior against its own employees is consistent with its corporate culture and "tone at the top," Michael Bloomberg's close personal and business relationship with Mr. Rose, and the value of Charlie Rose and his show to Bloomberg.
13. Bloomberg knew or should have known of Mr. Rose's unlawful conduct but failed and refused to take any remedial action and instead condoned that unlawful conduct.
14. Bloomberg (in addition to Rose) is strictly liable to Plaintiffs for the unlawful conduct of Rose and for its authorization, support, ratification, approval and condonation of such unlawful conduct and its failure to take any remedial action—including without limitation as an employer under the New York City Human Rights Law, as a direct employer, as a joint employer, and/or for aiding and abetting Rose's unlawful conduct and/or attempting to do so.

OVERVIEW OF THE NEW YORK CITY HUMAN RIGHTS LAW

15. 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 workplace discrimination in the nation.
16. Under the NYCHRL, "discrimination shall play *no* role in decisions relating to employment." *Williams v. NYC Hous. Auth.*, 61 A.D.3d 62, 76 [1st Dep't 2009], *lv. to appeal denied*, 13 N.Y.3d 702 [2009] (emphasis in original).
17. Under the NYCHRL, unlawful gender discrimination in employment exists and liability arises when a plaintiff is "treated less well because of her" protected status, even if such treatment is a single comment "that objectifies women being made in circumstances where that

comment would, for example, signal views about the role of women in the workplace.” *Id.*, 61 A.D.3d 62, 80, n. 30.

18. The NYCHRL makes discrimination violations thereunder “per se serious injuries.” *Williams*, 61 AD3d 62, 77 (internal quotation marks and citation omitted).

19. Such violations, by their very nature, inflict serious harm to “both the persons directly involved and the social fabric of the city as a whole.” *Chauca v. Abraham*, 30 N.Y.3d 325, 344 (2017).

20. For these and other reasons, 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).

21. Further, the NYCHRL requires “the development of an independent body of jurisprudence for the New York city human rights law that is maximally protective of civil rights in all circumstances.” Local Law No. 35 [2016] of City of New York § 1.

22. 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.

23. 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).

24. Accordingly, the standard for imposing punitive damages on liable parties under the NYCHRL is lower than those of comparable federal and state antidiscrimination laws. *See generally Chauca v. Abraham*, 30 N.Y.3d 325.

THE PARTIES

25. Plaintiff Katherine Brooks Harris is an adult female residing in California.

26. Plaintiff Sydney McNeal is an adult female residing in New York.

27. Defendant Bloomberg L.P. (“Bloomberg” or “Defendant”) is a limited partnership, doing business in New York, New York and having a principal place of business and/or address in New York, New York and, specifically, at 731 Lexington Avenue.

JURISDICTION AND VENUE

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

29. This Court has jurisdiction over Plaintiffs’ NYCHRL claims under the NYCHRL.

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

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

BACKGROUND

A. Background Information About Bloomberg

32. Bloomberg is a large financial, software, data, and media company, founded by Michael Bloomberg (“Mr. Bloomberg”) in 1981, and conducting business throughout the world.

33. Upon information and belief, Mr. Bloomberg is a majority owner of Bloomberg and has been its CEO from 1981 to 2001 and from 2014 forward.

34. Bloomberg is currently headquartered at 731 Lexington Avenue, New York City (“Bloomberg Tower” or “Bloomberg Building”).

35. Bloomberg’s products and services include, among other items, Bloomberg Television (“Bloomberg TV”) and it has television studios in the Bloomberg Tower.

36. During the relevant period, Bloomberg taping/television studios, Bloomberg management, Bloomberg technical, support, talent and other staff, and Bloomberg equipment and facilities were located at the Bloomberg Tower.

37. Bloomberg airs and re-airs product taped at its studios at the Bloomberg Tower.

B. Bloomberg's Corporate Culture As Reported By The Media

38. For years, Mr. Bloomberg set the “tone at the top” at Bloomberg.

39. The media has published articles about Mr. Bloomberg, reporting that he has a long history of making discriminatory statements about women and the role of women in the workplace, including without limitation the following articles:

- * “Michael Bloomberg’s History of Demeaning Comments About Women,” *The New York Times* (Nov. 14, 2019) at <https://www.nytimes.com/2019/11/14/us/politics/michael-bloomberg-women.html> (cited herein as “NYT November 2019”)
- * “Mike Bloomberg for years has battled women’s allegations of profane, sexist comments,” *The Washington Post* (updated Feb. 15, 2020) at <https://www.washingtonpost.com/graphics/2020/politics/michael-bloomberg-women/> (cited herein as “WaPo February 2020”)
- * “Why Is Bloomberg's Long History of Egregious Sexism Getting a Pass?” *GQ* (Feb. 15, 2020) at <https://www.gq.com/story/bloomberg-sexism> (cited herein as “GQ February 2020”)
- * “Mike Bloomberg rocked by re-emergence of sexist remarks,” *The Guardian* (Feb. 15, 2020) at <https://www.theguardian.com/us-news/2020/feb/15/michael-bloomberg-booklet-sexist-remarks-abortion> (cited herein as “TG February 2020”)
- * “Mike Bloomberg Has Been Accused of Having a ‘Woman Problem’—Here’s What That Means: Bloomberg LP and Mike Bloomberg himself have faced almost 40 employment lawsuits over sexual harassment, wage theft, and more. Let’s dive in.” *Glamour* (Feb. 24, 2020) at <https://www.glamour.com/story/mike-bloomberg-women-and-sexual-harassment-allegations> (cited herein as “Glamour February 2020”)
- * “Bloomberg accused of running media empire with toxic work culture,” *New York Post* (Nov. 27, 2019) <https://nypost.com/2019/11/27/bloomberg-accused-of-running-media-empire-with-toxic-work-culture/> (cited herein as “NYPost November 2019”)
- * “The Portable Bloomberg: The Wit & Wisdom of Michael Bloomberg,” *The Washington Post* (updated February 15, 2020) at <https://www.washingtonpost.com/context/the-portable-bloomberg-the-wit-wisdom-of-michael-bloomberg/ba5281b4-886d-42dc-a28d-e67eceb60719/> (cited herein as “The Portable Bloomberg”)
- * “A former Bloomberg saleswoman says male employees encouraged women to “dress provocatively,” ranked “Hot Bloomberg Girls,” used the internal chat system to “stalk” women, and looked up skirts, according to a lawsuit,” *Business*

Insider (June 3, 2020) at
<https://www.businessinsider.com/former-bloomberg-staffer-lawsuit-says-boss-looked-up-her-skirt-2020-6> (cited herein as “BI June 2020)

40. Hereinafter are references to various matters reported as above.

41. As previously reported by the media, and upon information and belief, Mr.

Bloomberg’s comments include, without limitation:

- * “fat broad” (TG February 2020).
- * “horsey faced lesbian” (TG February 2020).
- * “Look at the ass on her” (NY November 2019).
- * “[Computers] will do everything, including give you a blow job. I guess that puts a lot of you girls out of business.” (TG February 2020).
- * “If women wanted to be appreciated for their brains, they’d go to the library instead of to Bloomingdale’s.” (WaPo February 2020).
- * "A good salesperson asks for the order. It’s like the guy who goes into a bar, and walks up to every gorgeous girl there, and says ‘Do you want to f***?’ He gets turned down a lot—but he gets f***ed a lot too!” (WaPo February 2020).
- * “You know why computers will never take the place of people? Because a computer would say that the sex of the person giving you a blow job doesn’t matter.”(Glamour February 2020).
- * “What do I want? I want an exclusive, 10-year contract, an automatic extension, and I want you to pay me. And I want a blow job from [name redacted]. Have you seen [name redacted] lately? Not bad for fifty.” (Glamour February 2020).
- * “The royal family—what a bunch of misfits—a gay, an architect, that horsey-faced lesbian, and a kid who gave up Koo Stark for some fat broad.” (TG February 2020).
- * Various comments set forth in *The Portable Bloomberg*.

42. Upon information and belief, Mr. Bloomberg and Bloomberg were previously sued for gender discrimination, *see, e.g., Sekiko Sakai Garrison v. Michael Bloomberg and Bloomberg, L.P.*, 97 Civ. 4474 (S.D.N.Y.) (Patterson, J.) (“*Garrison Lawsuit*”).

43. The Civil Docket for the *Garrison Lawsuit* reflects that an Amended Complaint was filed in 1998 and the lawsuit settled in 2000. (*See Garrison Lawsuit*, ECF Doc. Nos. 12,

30).

44. The Amended Complaint in the *Garrison Lawsuit* (referred to herein as “Garrison Complaint”) is publicly available and contains detailed allegations of discrimination.

45. Upon information and belief, Ms. Garrison worked for Bloomberg in sales from 1989 until her firing in 1995. (*Garrison Lawsuit*; WaPo February 2020).

46. Upon information and belief, Ms. Garrison alleged that, during her employment, male Bloomberg employees, from the CEO on down, “engaged in a pattern and practice of sexual harassment, sexual degradation of women, and discrimination,” that she and other saleswomen were encouraged by Bloomberg and other male employees to wear “sexually provocative” clothing, and that she endured personal comments about her Japanese nationality. (*Garrison Complaint*; WaPo February 2020).

47. Upon information and belief, in 1995, Ms. Garrison advised Mr. Bloomberg that she was pregnant and he replied “kill it!” (*Garrison Complaint*; WaPo February 2020).

48. Upon information and belief, Ms. Garrison alleged that she had heard Mr. Bloomberg make a series of similarly inappropriate statements, including without limitation:

- * To a female employee after a disappointing business meeting: “If [the clients] told you to lay down and strip naked so they could f*** you, would you do that too?”
- * To a group of female employees after a male employee announced his engagement: “All of you girls line up to give him a blow job as a wedding present.”
- * To Garrison, when she wasn’t included in a photo opportunity: “Why didn’t they ask you to be in the picture? I guess they saw your face.”
- * To a female employee struggling to secure child care: “It’s a f***ing baby! All you need is some black who doesn’t even have to speak English to rescue it from a burning building.”
- * “I’d like to do that piece of meat.”

(*Garrison Complaint*; WaPo February 2020).

49. According to the *Washington Post*, Ms. Garrison’s claims were supported by

David Zielenziger, a former Bloomberg staffer. (WaPo February 2020).

50. According to the *Washington Post*, Mr. Zielenziger told the *Washington Post* that he heard Bloomberg say, “Are you going to kill it?” to Garrison, in response to her pregnancy, and that “he talked kind of crudely about women all the time.” (WaPo February 2020).

51. On February 19, 2020, Mr. Bloomberg, during a nationally televised debate, referred to female employees that had raised accusations against him, stating “None of them accuse me of anything other than maybe they didn’t like a joke I told.” (WaPo February 2020).

52. As previously reported, and upon information and belief, Mr. Bloomberg characterized his demeaning and degrading statements about the role of women in the workplace as “borscht belt jokes.” (NYT November 2019).

53. As previously reported, and upon information and belief, the culture at Bloomberg was a “frat house.” (NYT November 2019).

54. As previously reported, and upon information and belief, Bloomberg, under Mr. Bloomberg’s stewardship, “has been hit with nearly 40 discrimination and harassment suits from 64 employees.” (NYPost November 2019).

C. Charlie Rose’s Background

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

56. For many years, Mr. Rose had a close friendship and business relationship with Michael Bloomberg.

57. By 2017, Mr. Rose was one of the most widely-watched television news journalists and celebrity interviewers in the world, and boasted of having “the largest platform anywhere.”

58. Mr. Rose began working in the field of journalism/media in the 1970s.

59. For many years and through 2017, Mr. Rose was employed by CBS.

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

61. From about 2012 to 2017, Mr. Rose also co-anchored *CBS This Morning*.
62. At times, Mr. Rose substituted for the anchor of the *CBS Evening News*.
63. For years, and at various times, Mr. Rose was a correspondent for the shows *60 Minutes* and its spinoff *60 Minutes II*.
64. In addition to his CBS employment, since 1995, Mr. Rose owned, operated and was President and CEO of Charlie Rose, Inc. (“CRI”), a television production company.
65. From about 1991 to 2017, Mr. Rose was the host and executive producer of his own talk show the *Charlie Rose* show, which show Mr. Rose owned and produced through CRI.
66. Beginning in the 1990s and continuing through late 2017, the *Charlie Rose* show was taped at Bloomberg television studios, at 499 Park Avenue and then at Bloomberg Tower.
67. PBS distributed and broadcast the *Charlie Rose* show.
68. Bloomberg re-aired the *Charlie Rose* show around the world on Bloomberg TV.
69. Bloomberg, and Mr. Bloomberg himself, considered Mr. Rose and the *Charlie Rose* show to be a valuable asset.
70. In *Time* magazine, Mr. Bloomberg—as part of his personal friendship with Mr. Rose as well as to promote the *Charlie Rose* show —characterized Mr. Rose as “one of the most important and influential people in journalism” and Mr. Rose, personally, as “disarming.”
71. Upon information and belief, Rose and Bloomberg had a contractual relationship and/or business arrangement.
72. As part of that contractual relationship and/or business relationship, Rose had a staff working on the *Charlie Rose* show at the Bloomberg television studios, who reported among others to Rose, and who were jointly employed by Rose and Bloomberg.
73. Upon information and belief, Rose was an agent of, contractor of and/or a manager/supervisor at Bloomberg.

D. Plaintiffs' Joint Employment With Rose And Bloomberg

74. 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.

75. In March 2017, Rose verbally offered Ms. Harris employment and, on or about April 11, 2017, issued an "offer letter" to her.

76. 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."

77. In April 2017, Ms. Harris began working as an Associate Producer assigned to the *Charlie Rose* show, based at Bloomberg Tower.

78. In that position, Ms. Harris was employed by both Rose and Bloomberg.

79. As of the Spring of 2017, Ms. McNeal was employed by Bloomberg, working in Bloomberg Analytics, based at Bloomberg Tower.

80. In April 2017, Ms. McNeal began working as an Executive Assistant for Charlie Rose.

81. In that position, Ms. McNeal was employed by both Rose and Bloomberg.

82. Plaintiffs were qualified for their positions.

83. Bloomberg treated Plaintiffs as its employees for all relevant purposes.

84. As with other Bloomberg employees, when Plaintiffs joined Bloomberg, Bloomberg onboarded them into the Bloomberg system.

85. Bloomberg paid Plaintiffs, filed tax returns/forms with the government listing them as Bloomberg employees, and issued an IRS Form W-2 to each of them.

86. Bloomberg provided Plaintiffs with Bloomberg employee benefits, including without limitation various insurance coverage, 401(k) plan, paid time off, and other benefits.

87. Plaintiffs worked in Bloomberg Tower and in the Bloomberg television studios and worked specifically on the *Charlie Rose* show.

88. In addition to Rose, Bloomberg oversaw, supervised, directly supervised and/or controlled the terms of conditions of Plaintiffs' employment.

89. Plaintiffs were subject to Bloomberg policies and procedures, used Bloomberg equipment and facilities, and used Bloomberg employee badges and e-mail addresses.

90. Bloomberg had Plaintiffs undergo various training.

91. Bloomberg had Plaintiffs participate in employee events and programs.

92. Plaintiffs were jointly employed by Rose and Bloomberg.

93. Other employees that worked on the *Charlie Rose* show were jointly employed by Rose and Bloomberg.

94. Such employees included without limitation Yvette Vega, Executive Producer.

95. Vega and other employees were jointly employed by Rose and Bloomberg.

96. Rose considered Vega to be his second-in-command.

97. Rose, Vega and others had supervisory authority over Plaintiffs.

E. Examples Of Sexual Harassment Against Plaintiffs

98. As detailed in the *Rose Lawsuit*, Rose sexually harassed, abused, demeaned and degraded numerous women in the workplace for decades, up to and including the period of Plaintiffs' employment, and engaged in such unlawful conduct against Plaintiffs at Bloomberg.

99. As detailed in the *Rose Lawsuit*, Rose's unlawful conduct included, without limitation: (1) sexual comments; (2) touching and squeezing in a dominating and degrading manner; (3) hugging and kissing and planting wet kisses; (4) touching and caressing arms, shoulders, waist, back and pulling them close to his body; (5) placing his hand on the thigh; and (6) sliding his hand under Plaintiff Harris's buttocks. (*Rose Lawsuit*, NYSCEF Doc. Nos. 63-64).

100. During Plaintiffs' employment, Rose's unlawful discrimination against them included numerous acts of physical and verbal sexual harassment against Plaintiffs.

101. Set forth below are a few examples of Rose's unlawful conduct against Plaintiffs.

102. Rose repeatedly touched Plaintiffs in an unwelcome, unwanted, offensive and inappropriate manner.

103. Rose did so at least once a week and often multiple times each week.

104. He looked for opportunities to touch Plaintiffs.

105. Plaintiff Harris provided an example of such conduct in an Affidavit, stating:

“Rose would regularly summon me to speak with him within his corporate offices, just outside the broadcast studio. He would sit on the bench outside the broadcast studio and would require me to sit next to him. On at least one occasion, I was wearing a skirt and, as I sat down, Rose intentionally placed his hand on the bench so that my buttocks landed on his hand and he kept his hand under me. On at least one other occasion, I was wearing a skirt and, after I sat down on the bench, Rose sat down and intentionally slid his hand under my buttocks.”

(*Rose Lawsuit*, NYSCEF Doc. No. 63, at ¶ 6).

106. Rose, when speaking to Plaintiffs, would repeatedly approach them and stand too close to them.

107. He would constantly touch Plaintiffs and squeeze them in a dominating and degrading manner.

108. He would put his arm around each Plaintiff's body, put his hand on each Plaintiff's waist, pull each Plaintiff close and hold her tight.

109. He would often pull each Plaintiff so close that her body would be touching his body.

110. Rose would grab each Plaintiff's upper arm and squeeze it.

111. He would put his hands on each Plaintiff's shoulder, squeeze her shoulder and press down on her shoulder and keep his hands there.

112. Rose would often grab onto each Plaintiff while he was sitting down, wrap his arms around her hips and waist, pull her close and hold her tight.

113. Rose kept his hands on each Plaintiff for the duration of the conversation.

114. Rose did not touch male employees in the way that he touched each Plaintiff.

115. Rose would not have touched Plaintiffs in the way that he touched Plaintiffs had they not been of their protected class.

116. Rose repeatedly required Plaintiffs to have lunch and/or dinner with him at various restaurants in Manhattan, and engaged in acts of sexual harassment at those restaurants.

117. The restaurants included, among others: Nello; Le Bilboquet; Avra Madison Estiatorio; Cipriani; and/or Lavo.

118. Rose also required Ms. Harris to dine with him at Eddie V's (California) and there asked her if she thought the other people in the restaurant thought they were "together," *i.e.*, romantically involved.

119. Rose undressed in front of Plaintiffs, removing his dress shirt and exposing his naked upper body (he did not wear an under shirt).

120. Rose could have changed his shirt in a nearby restroom, but intentionally undressed in front of Plaintiffs, because he wanted them to see his naked upper torso.

121. Rose also required Plaintiffs to open his closet and select a dress shirt for him to wear.

122. Rose repeatedly hugged and kissed Plaintiffs, often after dining at a restaurant or when he left the office for a business trip or vacation.

123. Rose would grab both each Plaintiff's shoulders, pull her close to him, and plant a wet kiss on her cheek, close to her lips.

124. Rose required Ms. Harris to come to his residential apartment and watch videotapes of his prior *60 Minutes* interviews.

125. Rose required Plaintiffs to come into his private office within Bloomberg's corporate offices and touch him on his shoulder to awaken him from naps.

126. Submission to Rose's conduct was a term and condition of each Plaintiff's employment by Bloomberg and Rose.

127. Rose's conduct was demeaning, unwelcome, unwanted and offensive and created an environment degrading to women and signaled Bloomberg's and Rose's views about the role of women in the workplace.

128. Plaintiffs opposed, objected to and/or complained about Rose's unlawful conduct.

129. Despite Plaintiffs' opposition, no remedial action was taken.

130. For example, during Rose's sexual harassment, Plaintiffs communicated their disapproval by, among other acts, rolling their eyes, looking at Rose with disapproval, saying "Charlie" in a tone of disapproval, changing the subject, changing their physical stance, and attempting to move away from Rose.

131. Rose knew or should have known from Plaintiffs' reactions that they disapproved of his conduct.

132. For example, Plaintiff Harris stated the following in an Affidavit: "For example, in or about August 2017, I complained to Yvette Vega, Executive Producer of the Charlie Rose Show, about Rose's sexual comment about Ms. McNeal and I swimming naked together in his swimming pool." (*Rose Lawsuit*, NYSCEF Doc. No. 63, at ¶ 22).

133. Vega knew of Rose's discriminatory conduct against women in the workplace because of sex/gender and had received complaints about Rose's conduct from other female employees, including among others, Kyle Godfrey-Ryan and Reah Bravo.

134. Vega knew that Rose's conduct was demeaning, unwelcome, unwanted and offensive, and signaled Bloomberg's (and Rose's) views about the role of women in the workplace, but failed to take any remedial action.

135. Rather, Vega would say words to the effect of "that's Charlie being Charlie."

136. At various times, Rose threatened to fire Plaintiffs, intimidated them and/or verbally abused them as part of his predatory behavior/desire for sexual dominance over them.

137. For example, Rose told Ms. Harris words to the effect that she "wasn't the girl he thought I was" and that she "didn't seem to care about my job."

138. Defendant knew or should have known of Mr. Rose's unlawful conduct but failed to take any remedial action and allowed Mr. Rose to continue to engage in sexual harassment.

139. To the extent Bloomberg had any policies purporting to prohibit discrimination and/or harassment, such policies were a sham, such policies were inadequate as to employees reporting to Rose, and Bloomberg failed to enforce any such policies as to Rose.

140. Upon information and belief, Defendant did not provide Mr. Rose with any training in employment discrimination, harassment or retaliation.

F. Termination Of Employment

141. On November 20, 2017, the *Washington Post* published an article (the "November 2017 Article") reporting on Charlie Rose's sexual harassment against women in the workplace, which article was entitled *Eight women say Charlie Rose sexually harassed them — with nudity, groping and lewd calls*.

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

142. The November 2017 Article noted the "striking commonalities in the accounts of the women" interviewed and reported that such behavior was repetitive and "ritual."

143. The November 2017 Article reported that Vega commented on Rose's behavior with "That's just Charlie being Charlie" and "I should have stood up for them" and "I failed."

144. On November 20, 2017, Rose responded to the publication of the November 2017 Article by holding a staff meeting and *admitting to his staff*—including Plaintiffs—that he sexually harassed female employees, stating among other items words to the effect of "some of the stories are true."

145. On November 20, 2017, Rose responded to the publication of the November 2017 Article by issuing a public statement on his Twitter Account ("November 2017 Tweet"), at <https://twitter.com/charlirose?lang=en>

146. In the November 2017 Tweet, Rose proclaimed that throughout his 45-year career in journalism, he was “an advocate” for the women with whom he worked, and though he engaged in “inappropriate behavior” towards women in the workplace, he always felt he acted on “shared feelings.”

147. On November 21, 2017, CBS fired Rose, publicly stating that he was fired because of his “extremely disturbing and intolerable behavior,” *i.e.*, his conduct reported by the *Washington Post* in the November 2017 Article.

<https://www.businessinsider.com/charlie-rose-fired-cbs-this-morning-sexual-misconduct-2017-1>

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148. PBS cancelled the distribution/broadcast of the *Charlie Rose* show.

149. Bloomberg cancelled the re-airing of the *Charlie Rose* show.

150. Defendant knew or should have known that Plaintiffs opposed, objected to and/or complained about Rose’s unlawful conduct.

151. Plaintiffs’ employment was terminated.

152. Upon information and belief, Defendant had one or more available positions for which each Plaintiff was qualified.

153. Defendant did not offer any such positions to Plaintiffs.

154. On May 3, 2018, the *Washington Post* published a second article regarding Charlie Rose.

155. On May 4, 2018, the *Rose Lawsuit* was filed.

156. Mr. Bloomberg, who was Mr. Rose’s longtime friend and business associate, was fully aware of the *Washington Post*’s reporting of allegations of sexual harassment against Mr. Rose and knew or should have known that Mr. Rose had engaged in unlawful sexual harassment.

157. Upon information and belief, Mr. Bloomberg did not condemn Mr. Rose’s unlawful conduct, but instead made “supportive remarks last year about Mr. Rose,” as reported by the media. (NYT November 2019).

158. In 2019, during discovery in the *Rose Lawsuit*, a subpoena was served on Bloomberg (“Subpoena”), seeking among other items documents regarding (a) Plaintiffs; (b) Bloomberg’s contractual relationship and/or business arrangement with Rose; (c) Rose’s conduct; and (d) Bloomberg policies.

159. Bloomberg refused to produce any documents in response to the Subpoena.

160. In September 2019, Gina Riggi, Rose’s former makeup artist, filed a lawsuit against Rose and Bloomberg alleging various claims including sexual harassment. *See Riggi v. Charlie Rose Inc. et al.*, Index No. 159167/2019 (Sup. Ct., NY County) (“*Riggi Lawsuit*”).

161. In the *Riggi Lawsuit*, Ms. Riggi alleged, that she joined “Charlie Rose” in 1995 and found herself trapped in an environment that Rose used as a “sexual hunting ground.” (*Riggi Lawsuit*, NYSCEF Doc. No.1, Compl. at ¶¶ 1-3).

162. Ms. Riggi alleged, among other items, that Mr. Rose engaged in sexual harassment at Bloomberg and elsewhere and targeted young females. (*Riggi Lawsuit*, NYSCEF Doc. No.1, Compl.).

163. On June 2, 2020, a former female employee of Bloomberg, under the pseudonym “Joan Doe,” filed a lawsuit against Bloomberg and her male supervisor, alleging claims of, among other items, sexual harassment, discrimination and retaliation, *see Joan Doe v. Bloomberg L.P. et al.*, Index No. 508959 (Supreme Court, Kings County June 2, 2020) (“*Doe Lawsuit*”).

164. In the *Doe Lawsuit*, Ms. Doe alleged that she was employed by Bloomberg from March 2018 through September 2019. (*Doe Lawsuit*, NYSCEF Doc. No. 1, Compl. at ¶ 91).

165. Ms. Doe alleged that Bloomberg had a “sexualized and discriminatory workplace culture” that “existed for decades under Defendant BLOOMBERG’s Founder, Michael Bloomberg,” that Mr. Bloomberg “created, participated, condoned and encouraged this type of sexist and sexually charged behavior,” and alleged numerous examples of discrimination and harassment. (*Doe Lawsuit*, NYSCEF Doc. No. 1, Compl. at ¶¶ 24, 37).

166. Ms. Doe alleged that, during her employment with Bloomberg, she was sexually

harassed by her male supervisor, that she complained about the sexual harassment, and suffered various forms of unlawful retaliation culminating in the unlawful termination of her employment. (See, e.g., *Doe Lawsuit*, NYSCEF Doc. No. 1, Compl. at ¶¶ 138-140, 188; see also BI June 2020).

167. For example, Ms. Doe alleged that her male supervisor “sat on the red couches directly under the glass staircase on the third floor and on several occasions watched Plaintiff walk up the stairs and looked up her skirt or dress” and her male supervisor “commented to several male coworkers that today was a ‘red day’ referring to Plaintiff having worn red underwear.” (*Doe Lawsuit*, NYSCEF Doc. No. 1, Compl. at ¶¶ 130-131).

168. Ms. Doe also alleged that Bloomberg employees “are not afforded proper sexual harassment training, monitoring, policing and/or discipline for failure to comply with employment policies to protect employees against sexual harassment” and “are not afforded an effective means of complaining and/or reporting sexual harassment.” (*Doe Lawsuit*, NYSCEF Doc. No. 1, Compl. at ¶¶ 78-79).

G. Summary

169. Defendant unlawfully discriminated against Plaintiffs in compensation, terms, conditions and/or privileges of employment, because of gender and sex.

170. Defendant treated Plaintiffs less well, differently, and less favorably, than other employees and employees outside their protected classes, and subjected them to discrimination not perpetrated against other employees and employees outside their protected classes, because of gender and sex.

171. Discrimination played a role in decisions regarding Plaintiffs’ employment.

172. Defendant knew or should have known of the unlawful discrimination and failed to exercise reasonable care to prevent and correct same.

173. Defendant engaged in, caused, perpetrated, committed, authorized, directed, participated in, supported, ratified, approved, condoned and/or coerced the unlawful conduct

alleged herein.

174. Defendant failed to investigate the matter and/or failed to timely investigate the matter.

175. Defendant failed to take any remedial action, failed to timely take remedial action and/or failed to take proper remedial action.

176. Defendant aided, abetted, incited, compelled, coerced and/or condoned unlawful discrimination against Plaintiffs or to attempted to do so.

177. Defendant's proffered reason for the conduct was a pretext for unlawful discrimination.

178. As a result of Defendant's unlawful conduct, each Plaintiff has suffered and continues to suffer damages.

179. As set forth in the *Rose Lawsuit*, Rose is liable for Rose's unlawful conduct.

180. In addition, Bloomberg is strictly liable for the unlawful conduct of Rose.

181. Rose and Defendant are jointly and severally liable for unlawful conduct against Plaintiffs.

COUNT ONE

(DISCRIMINATION)

182. 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.

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

184. At all relevant times herein, Rose and Bloomberg are each an "employer," "covered entity" and a "person" within the meaning of the NYCHRL.

185. At all relevant times herein, Rose and Bloomberg were each an employer of Plaintiffs and were "joint employers" of Plaintiffs, and Bloomberg is liable as an individual "employer" and/or "joint employer."

186. At all relevant times herein, Mr. Rose, Mr. Bloomberg and each Plaintiff were each a “person” within the meaning of the NYCHRL.

187. Defendant treated each Plaintiff less-well because of her gender and sex.

188. Defendant’s conduct, as alleged herein, constituted unlawful discriminatory practices, unlawful discrimination based on gender and sex, and unlawful harassment in violation of the NYCHRL.

189. Defendant’s 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.

190. Defendant is liable for the unlawful conduct herein as an “employer” under NYCHRL § 8-107[1].

191. Defendant is also liable for the conduct of Rose as an agent of, contractor of and/or a manager/supervisor at Bloomberg.

192. As a result of Defendant’s 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.

193. As a further result of Defendant’s 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.

194. Plaintiffs are entitled to recover damages for such injuries from the Defendant.

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

COUNT TWO**(AIDING AND ABETTING LIABILITY)**

196. 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.

197. Defendant aided and abetted the unlawful conduct of Rose or attempted to do so.

198. Defendant is liable for the unlawful conduct herein under the “aiding and abetting” provisions of NYCHRL § 8-107[6].

199. Defendant is liable as a “person” under the “aiding and abetting” provisions of NYCHRL § 8-107[6].

200. Defendant’s 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.

201. As a result of Defendant’s 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.

202. As a further result of Defendant’s 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.

203. Plaintiffs are entitled to recover damages for such injuries from the Defendant.

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

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 Defendant;
- (B) Award each Plaintiff as against Defendant the amount of wages, including without limitation wages, back pay, front pay, bonuses, benefits, and interest lost as a result of Defendant's unlawful conduct;
- (C) Award each Plaintiff as against Defendant consequential damages for losses resulting from Defendant's unlawful conduct;
- (D) Award each Plaintiff as against Defendant 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 Defendant punitive damages;
- (F) Award each Plaintiff as against Defendant 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
June 9, 2020

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