

Scott Salmirs
c/o One Liberty Plaza, 7th Fl.
New York, NY, 10006

Eddie Sanders
Clayton County Jail
9157 Tara Boulevard
Jonesboro, GA 30236

And
1537 Acorn Forest
Stone Mountain, GA 30088

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 service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, a judgment will be taken against you by default for the relief demanded in the complaint.

Dated: January 10, 2020
New York, New York

/s/ Jonathan W. Johnson
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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----))
AURELIA MANCILLA))
Plaintiff))
vs.))
ABM INDUSTRIES, INCORPORATED;))
ABM INDUSTRIES, INCORPORATED d/b/a ABM))
JANITORIAL SERVICES, INC.;))
ABM INDUSTRIES, INCORPORATED d/b/a ABM))
ONSITE SERVICES, INC.;))
SCOTT SALMIRS; and))
EDDIE SANDERS))
Defendants))
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Index No:

Verified Complaint

VERIFIED COMPLAINT

Plaintiff Aurelia Mancilla by and through her attorneys, Jonathan W. Johnson, LLC and Kreindler & Kreindler, LLP for this Complaint against Defendants ABM Industries, Incorporated; ABM Industries, Incorporated d/b/a ABM Janitorial Services, Inc.; ABM Industries, Incorporated d/b/a ABM Onsite Services, Inc.; Scott Salmirs; and Eddie Sanders jointly and severally, alleges as follows:

INTRODUCTION

1. Plaintiff was physically raped by her ABM Janitorial supervisor Defendant Sanders and mentally and emotionally raped by her employer ABM entities. The ABM entities knowingly, intentionally, recklessly and negligently condoned sexual harassment, sexual abuse and sexual violence against its vulnerable female employees assigned to clean commercial properties throughout the United States, including but not limited to Plaintiff Mancilla. Rape is the worst

abomination that can be perpetrated against a person, short of murder itself. Indeed, it is murder of the heart and soul of the victim. Rape is irreparable devastation of the victim's respect and dignity, a brutal taking by force that can never be restored.

2. Plaintiff is a young woman who was employed by Defendants as a janitorial worker on the night shift. She was working to support herself and help support her family. She had been taught to work hard, to treat others with respect and dignity, and to be obedient to authority. That is what she was doing when she was raped by Defendants.

3. Defendant ABM Industries, Incorporated is engaged in the business of providing janitorial services for commercial facilities, including airports, in multiple states. ABM Industries, Incorporated's headquarters is in New York, New York; it is presided over by its CEO, Defendant Salmirs; and it conducts business through its subsidiaries, including Defendants ABM Janitorial Services, Inc. and ABM Onsite Services, Inc. (all ABM entities, and CEO Salmirs, are collectively referred to herein as the "ABM Defendants" and "ABM"). Defendant Sanders is the ABM Defendants' supervisor (referred to herein as the "ABM Supervisor") who was delegated authority over Plaintiff and her work on the night he raped her.

4. Eight years before the rape of Plaintiff, the Equal Employment Opportunity Commission ("EEOC") issued a press release announcing that ABM had agreed to pay millions of dollars to settle a lawsuit brought on behalf of twenty-one janitorial workers for sexual assault, including rape, by ABM.

5. Three years before the rape of Plaintiff, a documentary video was published entitled "Under cover of darkness, female janitors face rape and assault" which was publicly aired on TV by PBS as a *Frontline* documentary called "Rape on the night shift." It was an investigative report

exposing the practices of ABM that resulted in sexual abuse of their vulnerable janitorial workers on the night shift, citing numerous lawsuits and EEOC charges against ABM.

6. Eight months before the rape of Plaintiff, an updated documentary video was published entitled “Nations’ largest janitorial company faces new allegations of rape” which was also publicly aired on TV by PBS as a *Frontline* documentary called “Rape on the night shift.” The updated documentary exposed additional cases evidencing the continuing practice of ABM fostering sexual abuse of janitorial workers on the night shift.

7. Seven months before the rape of Plaintiff, U.S. Senator Murray of Washington State wrote a letter to the cleaning industry association, of which ABM is a member, expressing “deep concern” over sexual harassment and abuse in the workplace, and making known to the industry the expectation that steps are to be taken to “address concerns about misconduct in your industry and to ensure your members’ workplaces are free from harassment.” Senator Murray’s letter specifically cited the sordid record of ABM as an example of rampant sexual harassment and abuse of janitorial workers.

8. All the press, publicity and protestation condemning ABM’s practice of sexually abusing its janitorial workers on the night shift was well known to ABM, including CEO Salmirs. However, it was not a deterrent to ABM’s systemic pattern and practice resulting in sexual abuse. Instead, ABM, led by CEO Salmirs, persisted in its malicious, wanton and willful disregard for the safety, respect and dignity of its janitorial workers on the night shift, and continued its cold and callous pursuit of profits over people, resulting in ABM’s rape of Plaintiff through its supervisor.

9. The actual physical rape of Plaintiff by the ABM Supervisor was committed while she was serving as a janitorial worker on the night shift at the Atlanta International Airport in Georgia. ABM's corporate decisions are made at its headquarters in New York, led by CEO Salmirs, and that is where the responsibility lies for the systemic corporate failure to effectuate an effective policy and practice for preventing sexual harassment and abuse, including rape, of janitorial workers serving on the night shift wherever they may be working. ABM is like an octopus with its head in Manhattan and its tentacles reaching into other states. The corporate culture that caused the rape of Plaintiff emanated from ABM's corporate head in Manhattan, and spread to its tentacle in Georgia resulting in the inevitable rape on the night shift by the ABM Supervisor.

10. This case is about holding ABM and its CEO accountable for their egregious corporate conduct, and assessing punitive damages sufficient to compel them to change the systemic corporate pattern and practice that not only condones, but persistently fosters sexually abusive behavior by ABM supervisors to whom ABM delegates authority over the vulnerable workers on the night shift.

PARTIES

11. Aurelia Mancilla is a citizen and resident of Georgia.

12. ABM Industries, Incorporated is a Delaware Corporation with principal place of business and office address at One Liberty Plaza, 7th Floor, New York, NY, 10006; and its registered agent is The Corporation Trust Company, Corporation trust Center, 1209 Orange Street, Wilmington, DE 19801. ABM Industries, Incorporated operates through its wholly owned subsidiaries, including ABM Janitorial Services, Inc. and ABM Onsite Services, Inc.

13. ABM Janitorial Services, Inc. is a Delaware Corporation and its registered agent is The Corporation Trust Company, Corporation trust Center, 1209 Orange Street, Wilmington, DE 19801. Upon information and belief, its principal office address is 1111 Fannin, Suite 1500, Houston, TX 77022; however, it is a wholly owned subsidiary of ABM Industries, Incorporated which directs the subsidiary's operations from headquarters in New York and acts as the alter ego of ABM Industries, Incorporated.

14. ABM Onsite Services, Inc. is a Delaware Corporation and its registered agent is The Corporation Trust Company, Corporation trust Center, 1209 Orange Street, Wilmington, DE 19801. Upon information and belief, its principal office address is 1111 Fannin, Suite 1500, Houston, TX 77022; however, it is a wholly owned subsidiary of ABM Industries, Incorporated which directs the subsidiary's operations from headquarters in New York. and acts as the alter ego of ABM Industries, Incorporated.

15. Scott Salmirs is, and was at the time of the rape of Plaintiff, the President and CEO of ABM Industries, Incorporated; his principal office address with ABM Industries, Inc. is One Liberty Plaza, 7th Floor, New York, NY, 10006.

16. Upon information and belief, Eddie Sanders is a citizen and resident of Georgia; his last known address is 1537 Acorn Forest, Stone Mountain, GA 30088; and he was last known to be incarcerated in jail in Clayton County, GA, 9157 Tara Boulevard, Jonesboro, GA 30236. Defendant Sanders was the ABM supervisor with authority delegated from ABM to supervise Plaintiff at the time he raped her.

JURISDICTION AND VENUE

17. Venue is proper in New York County pursuant to C.P.L.R. §503, as ABM Industries Incorporated d/b/a ABM Janitorial Services Inc. has its principal place of business in New York County, NY and/or were conducting substantial business in this County at the time that the events or omissions giving rise to the litigation occurred, and all ABM Defendants continue to conduct substantial continuous business activities and/or contract to supply goods and/or services within New York County and the wrongful acts of the ABM Defendants occurred within the State of New York, and within New York County, where the unlawful employment practice is alleged to have been committed. The ultimate rape by ABM's Supervisor in Georgia was the result of the wrongful acts of ABM perpetrated at its headquarters in New York.

EXHAUSTION OF ADMINISTRATIVE REMEDIES FOR TITLE VII CLAIM

18. Plaintiff timely filed her Charge of Discrimination with the U.S. Equal Employment Opportunity Commission ("EEOC") on March 15, 2019, containing the relevant allegations herein set forth. On October 15, 2019, Plaintiff received a Notice of Right to Sue from the EEOC (Charge No: 520-2019-06124). This legal action is filed within ninety days of receipt of the Notice of Right to Sue.

FACTUAL ALLEGATIONS

A. The Rape of Plaintiff

19. Plaintiff commenced employment with ABM on July 31, 2018 performing janitorial work on the night shift at the Atlanta International Airport.

20. Plaintiff worked for ABM, as directed by ABM Supervisors, without incident until September 18, 2018.

21. When Plaintiff reported to work on the night of September 17, 2018, she was informed that her ABM Supervisor would be Eddie Sanders. Plaintiff did not know Eddie Sanders, had never met him, and had never worked with him as her supervisor.

22. Plaintiff did the usual janitorial work required of her until approximately 5:00 am, September 18, 2019, when ABM Supervisor Sanders approached her and engaged in conversation as she continued her work. During the conversation, ABM Supervisor Sanders suggested to Plaintiff that she should have sex with him, which Plaintiff refused.

23. Thereafter, ABM Supervisor Sanders directed Plaintiff to follow him to an area where he said cleaning work was required, and Plaintiff did as directed by her supervisor.

24. Plaintiff followed ABM Supervisor Sanders into a room with no windows and no exit except the door they had entered.

25. At that point, ABM Supervisor Sanders, who is a huge man weighing about 270 pounds, closed the door and stood between Plaintiff and the door, demanding she submit to him.

26. Plaintiff was frightened and felt helpless as ABM Supervisor Sanders proceeded to rape her. She begged him to stop.

27. Plaintiff did not consent to any physical contact with ABM Supervisor Sanders, and would not have entered the room if she had known or suspected his intention to sexually abuse her.

28. After the rape, ABM Supervisor Sanders left Plaintiff alone in the room. Plaintiff was traumatized by the rape, and she was in a state of shock and dismay.

29. Plaintiff regained enough composure to go looking for someone in authority to whom she could report the rape, but she saw no one, and she noticed that ABM Supervisor Sanders was watching her.

30. Because Plaintiff was afraid of ABM Supervisor Sanders, she decided not to continue her search for someone to whom she could report the rape; instead, she used her mobile phone to call a coworker and requested that he contact the airport police and ask them to come help her.

31. The police came and talked with her, investigated the incident, and escorted her to a hospital for a rape test. They also provided rape crisis counselling for Plaintiff.

32. The police arrested ABM Supervisor Sanders and charged him with rape. He is currently incarcerated pending trial for this rape.

33. Upon information and belief, ABM Supervisor Sanders had a criminal record which included a felony for armed robbery.

B. The Systemic Pattern and Practice of Sexual Abuse of Janitorial Workers by ABM

34. On September 2, 2010 (eight years before the rape of Plaintiff) the EEOC issued a press release entitled “ABM Industries Settles EEOC Sexual Harassment Suit for \$5.8 Million.” The lawsuit by the EEOC was on behalf of twenty-one janitorial workers, employed by ABM on the night shift, who had been sexually assaulted, including rape. ABM paid millions of dollars to settle many claims of sexual abuse, including rape, long before the rape of Plaintiff.

35. On June 23, 2015 (three years before the rape of Plaintiff) a documentary video report was published entitled “Under cover of darkness, female janitors face rape and assault.” The report was produced by Bernice Yeung, a reporter for *Reveal* from The Center for Investigative

Reporting. It was publicly aired on TV by PBS as a *Frontline* documentary entitled “Rape on the night shift.” The documentary reports finding 42 lawsuits in which ABM janitors alleged being sexually harassed, assaulted or raped at work. The report also quotes an EEOC attorney who said that ABM’s response to such litigation was “one of the worst she’d seen. Troubling violence wasn’t investigated. Victims or eyewitnesses were not interviewed.” Also, the EEOC attorney reported that what shocked her the most was ABM’s “lack of action, lack of attention, lack of a sense of responsibility.” ABM was aware of this documentary report long before the rape of Plaintiff.

36. On January 16, 2018 (eight months before the rape of Plaintiff) an updated documentary video was published entitled “Nation’s largest janitorial company faces new allegations of rape.” This report was also produced by Bernice Yeung of *Reveal* from The Center for Investigative Reporting, and it too was publicly aired on TV by PBS as a *Frontline* documentary entitled “Rape on the night shift.” It revealed a continuing persistent pattern and practice of sexual abuse of ABM janitorial workers. The report states “Female janitors say that their supervisors exploit their power—and the isolation of the night shift—to violently harass them, while their employer looks the other way.” ABM was aware of this documentary report months before the rape of Plaintiff.

37. On February 7, 2018 (seven months before the rape of Plaintiff) U.S. Senator Patty Murray from the State of Washington wrote a letter to the cleaning industry association, of which ABM is a member, expressing “deep concern regarding harassment in the workplace...janitorial staff are particularly vulnerable to harassment and abuse.” Senator Murray cited ABM as a company in the cleaning industry that has many lawsuits against it, including multiple suits by the EEOC, alleging sexual harassment, assault and rape. Senator Murray concluded “I am extremely concerned about this issue and am seeking an update on efforts to prevent and address harassment in workplaces

across the country.” ABM was aware of this letter from Senator Murray months before the rape of Plaintiff.

38. ABM, led by CEO Salmirs, disregarded the multitude of complaints, claims, lawsuits, EEOC charges, reports, documentaries, pleas from workers and the urgent concern of a U.S. Senator made known to ABM and its industry association.

39. From its headquarters in Manhattan, ABM persisted in its wanton and willful disregard for the safety, respect and dignity of its janitorial workers on the night shift, and continued its cold and callous mandate for business as usual—the rape of Plaintiff just another casualty along the path to profits. ABM continued to hire unqualified male supervisors, many of whom had a history of violence, provided little to no training or oversight, failed to take appropriate disciplinary actions when warranted and left them alone with vulnerable women, many of whom were immigrants.

40. ABM’s revenue for its most recent fiscal year was \$6.4 billion.

C. The traumatic, irreparable injury suffered by Plaintiff

41. After the rape, Plaintiff could not bear to return to work at ABM.

42. She suffered the overwhelming shame and humiliation caused by the rape, which continues to this day. It has permeated every aspect of her life and her relationships with family, friends and others.

43. Plaintiff has sought relief through counselling, but it has not relieved the pain, stress and anxiety of the rape ordeal and its aftermath that is with her every day.

44. Plaintiff endured and continues to endure the physical, mental, emotional and psychological injury, pain and suffering inflicted by the rape—scars she must bear for life.

45. The limitations of liability set forth in Section 1601 of the CPLR do not apply to this action by reason of one or more of the exceptions set forth within Section 1602 of the CPLR.

**CAUSE OF ACTION – 1
(Reckless and Careless Failure to Provide Safe Working Conditions – against ABM)**

46. Plaintiff incorporates by reference the factual allegations in the preceding paragraphs as if fully set forth herein.

47. ABM had a duty to provide safe working conditions for its employees under common law, OSHA and NY Labor laws.

48. The ABM Defendants breached that duty by recklessly and carelessly failing to provide safe working conditions which resulted in the rape of Plaintiff by the ABM Supervisor to whom ABM had delegated authority over her, to wit: The ABM Defendants willfully and intentionally, with callous and reckless indifference to Plaintiff's right to safe working conditions, engaged in the practice of disregarding, ignoring, tolerating, condoning, fostering and facilitating sexual abuse of its janitorial workers on the night shift, for which Punitive damages are the appropriate remedy.

49. As a direct and proximate result of the ABM's employment practice, Plaintiff has suffered physical pain, humiliation, mental, emotional and psychological stress, anxiety and torment that continues to this day.

**CAUSE OF ACTION – 2
(Reckless and Careless Hiring, Supervision and/or Retention – against ABM)**

50. Plaintiff incorporates by reference the factual allegations in the preceding paragraphs as if fully set forth herein.

51. ABM was reckless and careless in hiring Defendant Sanders to serve as the ABM Supervisor because it knew or should have known of his violent past and should have determined his propensity for sexual assault.

52. ABM was reckless and negligent in supervising Defendant Sanders as he served as the ABM Supervisor because it knew or should have known of his violent past and/or should have determined his propensity for sexual assault and should not have left him alone with female employees on the night shift.

53. ABM was reckless and negligent in retaining Defendant Sanders to serve as the ABM Supervisor because it knew or should have known or should have determined his propensity for sexual assault.

54. ABM is liable for the injuries to Plaintiff caused by the rape due to its reckless and negligent hiring, supervision and/or retention of Defendant Sanders to whom ABM delegated authority over Plaintiff.

55. As a direct and proximate result of ABM's reckless and negligent hiring, supervision and/or retention of Defendant Sanders, Plaintiff has suffered physical pain, humiliation, mental, emotional and psychological stress, anxiety and torment that continues to this day.

56. The ABM Defendants willfully and intentionally, with callous and reckless indifference to Plaintiff's safety, engaged in the systemic practice of disregarding, ignoring, tolerating, condoning, fostering and facilitating sexual abuse of its janitorial workers on the night shift, for which Punitive damages are the appropriate remedy.

CAUSE OF ACTION – 3
(Assault and Battery – against ABM and the ABM Supervisor)

57. Plaintiff incorporates by reference the factual allegations in the preceding paragraphs as if fully set forth herein.

58. The ABM Supervisor committed assault of Plaintiff by placing her in fear of imminent harmful or offensive contact. Plaintiff never consented to any such behavior by the ABM Supervisor.

59. The ABM Supervisor committed a battery of Plaintiff by intentionally and wrongfully making physical contact with her without her consent. Plaintiff never consented to any such behavior by the ABM Supervisor.

60. The ABM Supervisor aggravated the assault and battery by forcefully raping Plaintiff.

61. ABM's systemic pattern and practice of disregarding, ignoring, tolerating, condoning, fostering and facilitating sexual abuse of its janitorial workers on the night shift resulted in the rape of Plaintiff by the ABM Supervisor to whom ABM had delegated authority over Plaintiff. The ABM Supervisor's conduct was reasonably foreseeable by ABM and his conduct was committed within the scope of his employment wherein he was directed to spend time alone with vulnerable women, including Plaintiff, on a nightly basis with no immediate supervision and no immediate help for Plaintiff who worked mostly alone during her night shift. Punitive damages are the appropriate remedy.

62. ABM and the ABM Supervisor are jointly and severability liable for the injuries to Plaintiff caused by the rape.

63. As a direct and proximate result of the assault and battery of Plaintiff, she has suffered physical pain, humiliation, mental, emotional and psychological stress, anxiety and torment that continues to this day.

**CAUSE OF ACTION – 4
(False Imprisonment – against ABM and the ABM Supervisor)**

64. Plaintiff incorporates by reference the factual allegations in the preceding paragraphs as if fully set forth herein.

65. Prior to and during the rape of Plaintiff, the ABM Supervisor intended to confine her in the room where she could not escape; Plaintiff was conscious of the confinement as she felt trapped and overpowered; Plaintiff did not consent to the confinement; and the confinement of Plaintiff was not privileged in any way. Consequently, the ABM Supervisor engaged in and is liable for the false imprisonment of Plaintiff.

66. ABM's systemic corporate pattern and practice of disregarding, ignoring, tolerating, condoning, fostering and facilitating sexual abuse of its janitorial workers on the night shift resulted in the foreseeable false imprisonment and rape of Plaintiff by the ABM Supervisor to whom ABM had delegated authority over Plaintiff. The ABM Supervisor's conduct was reasonably foreseeable by ABM and his conduct was committed within the scope of his employment wherein he was directed to spend time alone with vulnerable women, including Plaintiff, on a nightly basis with no immediate supervision and no immediate help for Plaintiff who worked mostly alone during her night shift. Punitive damages are appropriate.

67. ABM and the ABM Supervisor are jointly and severability liable for the false imprisonment and rape of Plaintiff.

68. As a direct and proximate result of ABM and the ABM Supervisor's false imprisonment and rape of Plaintiff, she has suffered physical pain, humiliation, mental, emotional and psychological stress, anxiety and torment that continues to this day.

CAUSE OF ACTION – 5
(Negligent Infliction of Emotional Distress – against ABM and the ABM Supervisor)

69. Plaintiff incorporates by reference the factual allegations in the preceding paragraphs as if fully set forth herein.

70. The rape of Plaintiff by the ABM Supervisor was extreme and outrageous conduct which so transcends the bounds of decency as to be regarded as atrocious and intolerable in a civilized society. The conduct was undertaken with complete disregard of the severe emotional distress it was certain to cause, and indeed which it did in fact cause to Plaintiff. ABM breached its duty to provide safe working conditions for its employees.

71. ABM's corporate pattern and practice of disregarding, ignoring, tolerating, condoning, fostering, and facilitating sexual abuse of its janitorial workers on the night shift resulted in the extreme and outrageous conduct—the rape of Plaintiff—by the ABM Supervisor to whom ABM had delegated authority over Plaintiff. Punitive damages are appropriate.

72. ABM and the ABM Supervisor are jointly and severability liable for the negligent infliction of emotional distress on Plaintiff caused by the rape.

73. As a direct and proximate result of ABM and the ABM Supervisor's negligent infliction of emotional distress on Plaintiff, she has suffered physical pain, humiliation, mental, emotional and psychological stress, anxiety and torment that continues to this day.

CAUSE OF ACTION – 6

(Intentional Infliction of Emotional Distress – against ABM and the ABM Supervisor)

74. Plaintiff incorporates by reference the factual allegations in the preceding paragraphs as if fully set forth herein.

75. The rape of Plaintiff by the ABM Supervisor was extreme and outrageous conduct which so transcends the bounds of decency as to be regarded as atrocious and intolerable in a civilized society. The conduct was undertaken with complete disregard of the severe emotional distress it was certain to cause, and indeed which it did in fact cause to Plaintiff.

76. ABM’s systemic corporate pattern and practice of disregarding, ignoring, tolerating, condoning, fostering and facilitating sexual abuse of its janitorial workers on the night shift resulted in the extreme and outrageous conduct—the rape of Plaintiff—by the ABM Supervisor to whom ABM delegated authority over Plaintiff. Punitive damages are the appropriate remedy.

77. ABM and the ABM Supervisor are jointly and severability liable for the intentional infliction of emotional distress on Plaintiff caused by the rape.

78. As a direct and proximate result of ABM and the ABM Supervisor’s intentional infliction of emotional distress on Plaintiff, she has suffered physical pain, humiliation, mental, emotional and psychological stress, anxiety and torment that continues to this day.

CAUSE OF ACTION – 7

(Sexual Harassment in Violation of Title VII – against ABM)

79. Plaintiff incorporates by reference the factual allegations in the preceding paragraphs as if fully set forth herein.

80. This cause of action is filed pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e *et seq.* (“Title VII”) regarding unlawful employment practices on

the basis of sex, and to provide appropriate relief to Plaintiff who was adversely affected by such practices.

81. Each of the ABM Defendants, at all times relevant to this action, had more than fifteen employees.

82. Each of the ABM Defendants, at all times relevant to this action, had continuously been an employer engaged in an industry affecting commerce within the meaning of Title VII.

83. Plaintiff belonged to a protected category because of her sex, and she was sexually harassed because she is female.

84. The ABM Defendants' conduct was unwelcome, severe and created an abusive and hostile work environment.

85. ABM is strictly liable for harassment by its supervisor. The rape was tantamount to forced termination of her employment because it was no longer possible for her to work for ABM due to the traumatic physical, mental, emotional and psychological harm she suffered there.

86. ABM did not exercise reasonable care to prevent its supervisor from committing the severely abusive violation of Plaintiff.

87. The ABM Defendants engaged in an unlawful employment pattern and practice in violation of Title VII, by subjecting Plaintiff to a severely abusive sexually harassing and hostile work environment where she was raped by the ABM Supervisor to whom ABM had delegated authority over her.

88. The ABM Defendants willfully and intentionally, with callous and reckless indifference to Plaintiff's federally protected rights, engaged in the unlawful employment pattern and practice that resulted in the rape of Plaintiff for which punitive damages are the appropriate remedy.

89. As a direct and proximate result of ABM's unlawful employment pattern and practice, Plaintiff has suffered pain, humiliation, mental, emotional and psychological stress, anxiety and torment that continues to this day.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests the Court to grant judgment against Defendants:

1. For compensatory and general damages for Plaintiff, including the physical pain, humiliation, mental, emotional and psychological stress, anxiety and torment she has suffered and continues to suffer, in an amount according to proof in an amount exceeding the jurisdictional limits of all lower courts of the State of New York, together with interest, costs and disbursements of this action;
2. For special and economic damages for Plaintiff, including lost income, past and future expenses, according to proof in an amount exceeding the jurisdictional limits of all lower courts of the State of New York, together with interest, costs and disbursements of this action;
3. For punitive damages for Plaintiff an amount to be determined by a jury at trial;
4. For attorneys' fees and costs of suit incurred herein;
5. For such other and further relief as this Court may deem just and proper.

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury.

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/s/ James P. Kreindler
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New York Bar Number: 1704980
Attorneys for Plaintiffs

ATTORNEY VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

James P. Kreindler, being duly sworn, deposes and says:

That deponent is a member with Kreindler & Kreindler LLP., co-counsel attorneys for Plaintiff, in the within action; that the deponent has read the foregoing SUMMONS and VERIFIED COMPLAINT and knows the contents thereof; that the same is true to deponent's knowledge except as to the matters therein stated to be alleged upon information and belief, and as to those matters deponent believes it to be true and the reasons that this verification is not made by the Plaintiff and is made by deponent is that Plaintiff does not reside in the county where the attorney for the Plaintiff has their office.

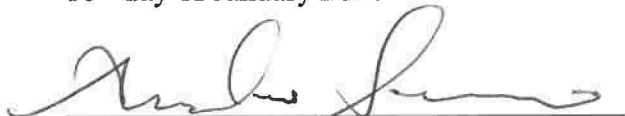
Deponent further says that the source of deponent's information and the grounds of deponent's beliefs as to all matters not stated upon deponent's knowledge are from investigation made on behalf of Plaintiff.

Dated: New York, New York
January 10, 2020



JAMES P. KREINDLER

Sworn to before me this
10th day of January 2020



Notary Public
ARCADIO SERRANO
Notary Public, State of New York
No. 01SE6369362
Qualified in Westchester County
My Commission Expires January 8, 2022