

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X
MARK SPADARO,
ANN MARCHESANO,

Civil Action No.: 16CV91

Plaintiffs,

COMPLAINT

-against-

CITY OF NEW YORK,

Defendant.

-----X

PLEASE TAKE NOTICE that Plaintiffs, by and through their attorney, complain of the Defendant as follows:

NATURE OF ACTION

1. This action is brought to remedy employment discrimination based on race and age under 42 U.S.C. § 1981, the New York State Human Rights Law ("NYSHRL"), Executive Law §§ 290 *et seq.*; and the New York City Human Rights Law ("NYCHRL"), NYC Administrative Code §§ 8-101 *et seq.*
2. Plaintiffs seek legal, declaratory and equitable relief from Defendant for its failure to hire Plaintiffs, its selection of a lesser qualified similarly situated person and its granting preferential treatment to a prospective employee based on protected class membership.

PARTIES

3. At all times hereinafter mentioned, Plaintiff Mark Spadaro was a white male born on November 6, 1951, a resident of New York and an employee of Defendant. In the discharge of his employment duties, Plaintiff Spadaro used the mails and wires; and handled goods that traveled in interstate commerce.
4. At all times hereinafter mentioned, Plaintiff Ann Marchesano was a white female born on June 29, 1955, a resident of New York; and an employee of Defendant. In the discharge of her employment duties, Plaintiff Marchesano used the mails and wires; and handled goods that traveled in interstate commerce.
5. At all times hereinafter mentioned, Defendant City of New York was a municipal corporation established by charter and Plaintiffs' employer, doing business in the City and State of New York, County of Kings, *inter alia*. Defendant employed over 10,000 persons at all times relevant to this complaint.

JURISDICTION & VENUE

6. This Court has original subject matter jurisdiction over the 1981 claims pursuant to 28 U.S.C. §§ 1331 and 1343, because they arise under the laws of the United States and are brought to recover damages for deprivation of equal rights.

7. In addition, this Court has supplemental jurisdiction over the NYSHRL and NYCHRL claims under 28 U.S.C. § 1367, because they arise from a common nucleus of operative facts with the federal claims and are so related to the federal claims as to form part of the same case or controversy under Article III of the United States Constitution.

8. Venue is proper in this judicial district under 28 U.S.C. § 1391(b)-(c), because Defendant conducts business and can be found in this district and a substantial part of the events and omissions giving rise to the claims alleged herein occurred in this district, and because the alleged unlawful employment practices were committed in this district, and employment records relevant to those practices are maintained and administered in this district.

9. Contemporaneously with the filing of this Complaint, Plaintiffs have mailed a copy to the New York City Commission of Human Rights and the Office of the Corporation Counsel of the City of New York, thereby satisfying the notice requirements of § 8-502 of the New York City Administrative Code.

10. At all times relevant herein, Plaintiffs were controlled and paid by Defendant and performed services at the latter's behest, control and direction.

FACTS

11. From May 2007 to present, Defendant employed Plaintiff Spadaro, a Physician, as a provisional City Medical Specialist in its Fire Department.

12. From November 2007 to present, Defendant employed Plaintiff Marchesano, a Physician, as a provisional City Medical Specialist in its Fire Department.

13. Plaintiffs' post of duty was and is Nine Metrotech Center, Brooklyn, New York, which was and is also the headquarters of Defendant's Fire Department ("FDNY").

14. FDNY City Medical Specialists must be licensed to practice medicine in New York and have actual or pending board certification in any specialty required by the FDNY at the time of hire.

15. FDNY City Medical Specialists are temporary, provisional and are funded by the World Trade Center Monitoring Program established by the Zadroga bill, currently funded through fall 2016.

16. Plaintiffs' primary duties include performing fitness for duty and annual medical examinations and providing medical evaluations for active and retired uniformed and emergency medical services FDNY personnel.

17. On average, City Medical Specialists work three (3) eight (8) hour shifts per week and are members of the Doctors' Council union. Those who work at least twenty-four (24) hours per week are entitled to or at least eligible for employee health benefits.

18. Prior to December 31, 2014, City Medical Specialists worked with both the FDNY Bureau of Health Services ("BHS"), which operates as the FDNY's medical office, and the World Trade Center Medical Monitoring & Treatment Program, which evaluates and treats FDNY personnel involved in recovery work at the World Trade Center sites. Since December 31, 2014, City Medical Specialists work exclusively with the World Trade Center Medical Monitoring & Treatment Program.

19. During the course of Plaintiffs' respective tenures in Defendant's employ, Plaintiffs performed their jobs well and Defendant gave Plaintiffs good and very good work evaluations, both formal and informal.

20. On or about April 8, 2013 through April 17, 2014, Defendant thrice posted and distributed vacancy notices for a Fire Medical Officer position in BHS. (Attached as Exhibit 1).

21. The position of Fire Medical Officer required a license to practice medicine in New York and board certification in a specialty required by the FDNY.

22. Both Plaintiffs applied for promotion to said position several times, in response to the original and subsequent postings. Fire Medical Officer is of higher rank than City Medical Specialist and provides greater remuneration.

23. On or about April 2014, Defendant selected three (3) candidates for interviews, which were conducted by FDNY Chief Medical Officer Kerry Kelly, M.D. and Deputy Chief Medical Officer Viola Ortiz, M.D.

24. The three (3) candidates that Defendant selected to interview for the Fire Medical Officer position did not include either Plaintiff.

25. On or about June 2014, Drs. Kelly and Ortiz selected an applicant to be offered the position and subsequently offered the position to Dr. Shenecia Beecher, a thirty (30) year old African-American female born on May 31, 1984. Thereafter, Dr. Beecher accepted the offer of employment.

26. At the time that she was selected for the position of Fire Medical Officer, Dr. Beecher had never worked as an attending nor primary care Physician, had only been licensed to practice medicine for three (3) years, was only four (4) years removed from medical school, had no relevant experience, had no experience in the FDNY, was still in residency and lacked any board certification. (Attached as Exhibit 2).

27. At the time of their respective applications for the position of Fire Medical Officer, both Plaintiffs were licensed and board certified, had many years of relevant experience and had served satisfactorily in the position of City Medical Specialist.

28. Defendant was without authority to waive the requirement of board certification for the Fire Medical Officer position, which it obviously did since Dr. Beecher was not board certified at the time of posting nor hiring.

29. Additionally, since 2012, Defendant has hired all non-whites as Fire Medical Officers, all of whom were substantially younger than Plaintiffs. (Attached as Exhibit 3).

30. Further, when Plaintiff Marchesano inquired of Dr. Ortiz why Dr. Beecher was selected for the position in question, Dr. Ortiz told her “they wanted someone younger and fresh.” When Plaintiff Marchesano inquired of Dr. Kelly why Dr. Beecher was selected, Dr. Kelly told her “the FDNY is looking for a fresh way to diversify and the department currently looks different than when she started working there.”

31. Defendant selected a less qualified, thirty (30) year old black female over Plaintiffs who were better qualified.

32. On information and belief, Defendant refused to promote either Plaintiff to the position of Fire Medical Officer because they were over fifty (50) years old and white.

33. The acts above described indicate that Defendant has acted in an intentional manner and *because of* Plaintiffs’ race and age.

34. Defendant willfully and intentionally discriminated against Plaintiffs based on race and age inasmuch as the above complained actions of Defendant were not taken on advice of counsel nor pursuant to competent court or agency guidance.

35. Plaintiffs suffered damages as a proximate result of the foregoing, including lost salary and fringe benefits; and emotional distress from April 2014.

36. Plaintiffs are entitled to full relief and have not filed any other civil action alleging an unlawful discriminatory practice with respect to the allegations of discrimination which are the subject of this Complaint.

FIRST CAUSE OF ACTION

42 U.S.C. § 1981 – Equal Rights

37. Plaintiffs repeat the foregoing paragraphs in their entirety.

38. 42 U.S.C. § 1981 prohibits discriminating against an employee or applicant for employment because of race *inter alia*.

39. Defendant’s selection of a less qualified comparator over Plaintiffs for the position in question, a thirty (30) year old African-American, constitutes employment discrimination based on race in violation of § 1981.

40. Defendant’s violation of the aforementioned statute was willful, as indicated above.

41. As a proximate result thereof, Plaintiffs have suffered damages including lost past and future wages, fringe benefits and emotional distress, all of which continue to date.

SECOND CAUSE OF ACTION

NYSHRL – Executive Law § 296(1)(a) (Disparate Treatment)

42. Plaintiffs repeat the foregoing paragraphs in their entirety.

43. The NYSHRL, in relevant part, prohibits discriminating against an employee or applicant for employment because of race and age.

44. Defendant's selection of a less qualified comparator over Plaintiffs for the position in question, a thirty (30) year old African-American, constitutes disparate treatment employment discrimination based on race and age.

45. Defendant's violation of the aforementioned statute was willful, as indicated above.

46. As a proximate result thereof, Plaintiffs have suffered damages including lost past and future wages, fringe benefits and emotional distress, all of which continue to date.

THIRD CAUSE OF ACTION

NYCHRL – NYC Administrative Code § 8-107(1) (Disparate Treatment)

47. Plaintiffs repeat the foregoing paragraphs in their entirety.

48. The NYCHRL, in relevant part, prohibits discriminating against an employee or applicant for employment because of race and age.

49. Defendant's selection of a less qualified comparator over Plaintiffs for the position in question, a thirty (30) year old African-American, constitutes disparate treatment employment discrimination based on race and age.

50. Defendant's violation of the aforementioned statute was willful, as indicated above.

51. As a proximate result thereof, Plaintiffs have suffered damages including lost past and future wages, fringe benefits and emotional distress, all of which continue to date.

STATEMENT REGARDING RELIEF

52. Plaintiffs have no plain, adequate, or complete remedy at law to redress the wrongs alleged herein, and the injunctive relief they seek in this action is the only means of securing complete and adequate relief. Plaintiffs are now suffering, and will continue to suffer, irreparable injury from Defendant's discriminatory acts and omissions.

53. Defendant's actions have caused and will continue to cause Plaintiffs substantial losses in earnings and other employment benefits.

54. In addition, Plaintiffs suffer and continue to suffer emotional distress, humiliation, embarrassment, and anguish, all to their damage in an amount according to proof at trial.

PRAYER FOR RELIEF

Plaintiffs respectfully request that this Court grant the following relief:

55. Award Plaintiffs:

- A. Declaratory relief indicating that Defendant's actions violate equal employment opportunity, 42 U.S.C. § 1981, the NYSHRL and the NYCHRL;
- B. Injunctive relief prohibiting Defendant from further violations of 42 U.S.C. § 1981, the NYSHRL and the NYCHRL;
- C. Back pay, front pay and/or reinstatement;
- D. Compensatory damages;
- E. Prejudgment interest; and
- F. Attorney's fees and costs.

WHEREFORE, Plaintiffs demand judgment for declaratory, equitable and injunctive relief, damages, attorney's fees, costs and disbursements.

JURY DEMAND

56. Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiffs demand a trial by jury in this action.

Dated: Brooklyn, New York

January 7, 2016



LAW OFFICE OF DAVID WIMS

BY: David C. Wims, Esq.

Attorneys for Plaintiffs

1430 Pitkin Ave., 2nd Floor

Brooklyn, NY 11233

(646) 393-9550

EXHIBIT 1

EXHIBIT 1



VACANCY NOTICE

AGENCY: Fire Department

JOB ID NO.:

118301

BUREAU: Health Services/Candidate Evaluation/Annual/Clinic

DATE:

April 8, 2013

***CLOSE OF BUSINESS*:**

April 15, 2013

| PAYROLL TITLE | TITLE CODE | OFFICE TITLE (If applicable) | SALARY | WORK LOCATION | ANTICIPATED DATE OF FILING |
|----------------------|------------|---------------------------------|-----------|--|-------------------------------|
| Fire Medical Officer | 53050 | | \$108,164 | 9 MetroTech Center Brooklyn, New York | A.S.A.P. |

JOB DESCRIPTION:

Under the direction of the Chief Medical Officer or his/her designee, the Fire Medical Officer will assess medical qualifications for candidates and incumbents in the job titles Firefighter, Fire Officer, EMT, Paramedic, and EMS Officer. Evaluate cases by providing guidance toward testing to determine qualification of candidates and continued fitness for duty of incumbents. The Fire Medical Officer will provide ongoing follow up evaluation of incumbents with respect to duty determination, and participate on department or joint department medical evaluation boards. Participate in research projects and health initiatives that provide programs of preventive medicine, specifically risks for our membership. Examine and assess ill or injured members of the Department for validity of absence, determine degree of disability and recommend curtailment or extension of disability period. Respond to emergencies requiring the immediate presence of a Fire Medical Officer including: triaging members at the scene of an emergency (3rd alarm or greater); hospital visits for emergency department evaluations or admissions of members; determine the severity of a situation and confer with the Officer in command and, promptly inform the Chief Medical Officer of conditions and actions taken.

This position requires evenings and weekends.

QUALIFICATION REQUIREMENTS:

Possession of a valid license to practice medicine in the State of New York plus valid Board Certification issued by the appropriate American Specialty Board in any specialty area required by the Department.

PREFERRED SKILLS:

Valid Board Certification issued by the appropriate American Board Specialty or current approved application on file for admission to the certifying examination given by the appropriate American Board Specialty. Experience in occupational healthcare and the implementation of clinical programs or projects.

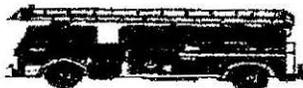
*Please note that all resumes must be received by close of business April 15, 2013. Only those candidates considered for an interview will be contacted.

ONLY FDNY EMPLOYEES MAY APPLY TO THIS POSTING.

**FDNY EMPLOYEES MUST APPLY VIA EMPLOYEE
SELF SERVICES (ESS).**

The Fire Department is an Equal Opportunity Employer.

REFER TO JOB ID # 118301



**NEW YORK CITY FIRE DEPARTMENT
CITYWIDE JOB VACANCY NOTICE**

| | |
|--|---|
| CIVIL SERVICE TITLE Fire Medical Officer | TITLE CODE NO. 53050 |
| OFFICE TITLE | SALARY \$108,164 |
| BUREAU/DIVISION/UNIT Health Services /Clinic | LOCATION 9 MetroTech Center Brooklyn, New York |

JOB DESCRIPTION:

Under the direction of the Chief Medical Officer or his/her designee, the Fire Medical Officer will provide ongoing follow-up evaluation of incumbents with respect to duty determination and participate on department or joint department medical evaluation boards. Participate in research projects and health initiatives that provide programs of preventative medicine, specifically risks for our membership. Examine and assess ill or injured members of the Department for validity of absence, determine degree of disability, and recommend curtailment or extension of disability period. Respond to emergencies requiring the immediate presence of a Fire Medical Officer including: triaging members at the scene of an emergency (3rd alarm or greater); hospital visits for emergency department evaluations or admissions of members; determine the severity of a situation and confer with the Officer in command and, promptly inform the Chief Medical Officer of conditions and actions taken.

This position requires evenings and weekends.

QUALIFICATION REQUIREMENTS:

Possession of a valid license to practice medicine in the State of New York plus valid Board Certification issued by the appropriate American Specialty Board in any specialty area required by the Department.

NOTE: New York City residency is required within 90 days of appointment. However, City employees in certain titles who have worked for the City for 2 continuous years may also be eligible to reside in Nassau, Suffolk, Putnam, Westchester, Rockland or Orange County. To determine if the residency requirement applies to you, please discuss with the agency Human Resources Representative at time of interview.

TO SUBMIT RESUME FOR CONSIDERATION, PLEASE APPLY VIA NYC.GOV/CAREERS OR CITY EMPLOYEES MUST APPLY VIA [EMPLOYEE SELF SERVICE \(NYC.GOV/ESS\)](http://EMPLOYEE SELF SERVICE (NYC.GOV/ESS)).

PLEASE REFER TO JOB ID # 146503

No phone calls please.

***PLEASE NOTE THAT ALL RESUMES MUST BE RECEIVED BY CLOSE OF BUSINESS MARCH 28, 2014. ONLY THOSE CANDIDATES CONSIDERED FOR AN INTERVIEW WILL BE CONTACTED.**

DATED: March 15, 2014

POST UNTIL: March 28, 2014

The Fire Department is an Equal Opportunity Employer.



VACANCY NOTICE

THIS IS A REPOSTING OF JOB ID# 146503

AGENCY: Fire Department

JOB ID NO.: 146503

BUREAU: Health Services/Clinic

DATE: April 17, 2014

"CLOSE OF BUSINESS:" April 22, 2014

| PAYROLL TITLE | TITLE CODE | OFFICE TITLE (if applicable) | SALARY | WORK LOCATION | ANTICIPATED DATE OF FILING |
|----------------------|------------|---------------------------------|-----------|---|-------------------------------|
| Fire Medical Officer | 53050 | | \$108,164 | 9 Metro Tech Center Brooklyn, New York | A.S.A.P. |

JOB DESCRIPTION:

Under the direction of the Chief Medical Officer or his/her designee, the Fire Medical Officer will provide ongoing follow-up evaluation of incumbents with respect to duty determination and participate on department or joint department medical evaluation boards. Participate in research projects and health initiatives that provide programs of preventative medicine, specifically risks for our membership. Examine and assess ill or injured members of the Department for validity of absence, determine degree of disability, and recommend curtailment or extension of disability period. Respond to emergencies requiring the immediate presence of a Fire Medical Officer including: triaging members at the scene of an emergency (3rd alarm or greater); hospital visits for emergency department evaluations or admissions of members; determine the severity of a situation and confer with the Officer in command and, promptly inform the Chief Medical Officer of conditions and actions taken.

This position requires evenings and weekends.

QUALIFICATION REQUIREMENTS:

Possession of a valid license to practice medicine in the State of New York plus valid Board Certification issued by the appropriate American Specialty Board in any specialty area required by the Department.

*Please note that all resumes must be received by close of business April 22, 2014. Only those candidates considered for an interview will be contacted.

NOTE: New York City residency is required within 90 days of appointment. However, City employees in certain titles who have worked for the City for 2 continuous years may also be eligible to reside in Nassau, Suffolk, Putnam, Westchester, Rockland or Orange County. To determine if the residency requirement applies to you, please discuss with the agency Human Resources Representative at time of interview.

The Fire Department is an Equal Opportunity Employer.

FDNY EMPLOYEES MUST APPLY VIA EMPLOYEE SELF SERVICES (ESS).

REFER TO JOB ID # 146503

EXHIBIT 2

EXHIBIT 2

REDACTED

SHENECLA BEECHER, M.D.

EDUCATION

2012 – 2014

Rutgers University, School of Public Health, Newark, NJ
 Master of Public Health (M.P.H.) in Epidemiology and Biostatistics
 Anticipated: May 2014
 Coursework included: Survey Research Methods and Questionnaire Design, Cost-Effectiveness Analysis in Public Health and Medicine, Geographic Information Systems (GIS) in Public Health, Categorical Data Analysis, Linear Regression Models, Life Tables and Survival Analysis, Risk Communication, and Management Techniques in Health Administration.

2006 – 2010

Columbia University, College of Physicians and Surgeons, New York, NY
 Doctor of Medicine (M.D.)

2002 – 2006

Yale University, New Haven, CT
 Bachelor of Arts (B.A.) in Psychology
 Cum Laude. Distinction in the Major. Psi Chi National Honor Society.

LICENSURE

New York State Physician's License, #263434. Active, 2011 – present.

SKILLS AND QUALIFICATIONS

Preventive medicine and public health specialist

Over 4 years' clinical experience with progressive patient care responsibility

Understanding of healthcare systems and systems-based practice

Proven ability to develop plans to support individual and community health efforts

Ability to critically evaluate data and recommend specific public health interventions and policies

Experience educating and empowering individuals and populations about health issues

Expertise in survey design, research protocol development, and analysis of small and large datasets

Excellent written communication and interpersonal skills

Expertise in SAS, SPSS, JMP, and Epi Info

Experience with Arc GIS mapping software

Proficient in Microsoft Office suite (Word, Excel, PowerPoint)

PROFESSIONAL EXPERIENCE

7/2012 – 6/2014

Preventive Medicine Residency, Rutgers University, New Jersey Medical School, Newark, NJ
Chief Resident, 2014

Patient Care and General Prevention

- Provided care to pediatric clinic patients once a week, August 2012 – present
- Provided care to patients with tuberculosis and latent tuberculosis infection during practicum rotations at the Global Tuberculosis Institute
- Provided care to veterans during practicum rotations at the VA Medical Center

Tobacco Prevention and Cessation

- Compiled directory of low-cost/free tobacco cessation resources available to Newark residents
- Developed patient educational pamphlets on smoking during pregnancy

REDACTED

SHENECA BEECHER, M.D.

- **Harlem Scholars Program** at Frederick Douglass Academy and Thurgood Marshall Academy, In-School Science Tutor/Teaching Assistant (11th and 12th grades), CUNY City College, New York, NY
- **Harlem Children's Zone**, Science tutor (grade 8), New York, NY
- **Champion Learning Center**, Tutor in English Language Arts, Algebra, Trigonometry, Geometry, Chemistry, Biology, Physics, and SAT prep.
- **High school substitute science teacher**, Brooklyn, NY

7/2010 – 6/2011

Mount Sinai School of Medicine, Pediatrics Residency, New York, NY*Intern (3rd Year Resident)*

- Performed medical history and physical examinations, integrated collected data into systematic differential diagnoses, and delivered evidence-based treatment/management plan of care
- Provided care to pediatric patients in ambulatory and inpatient settings including inpatient floors, outpatient clinics, newborn nurseries, the Emergency Department, and the Neonatal Intensive Care Unit.
- Coordinated care between the primary treatment service and multiple consulting services to ensure optimal patient care.

3/2010

National Center for Children in Poverty, New York, NY*Intern*

- Collaborated on "Improving the Odds for Adolescents," a policy-action initiative to improve state level adolescent health policies
- Compiled data on state-specific adolescent health and healthcare utilization policies and statistics into a master database

RESEARCH EXPERIENCE

- | | |
|----------------|---|
| 2013– present | Investigator, Survey of Non-cigarette Tobacco Use among Adolescent Clinic Patients, Rutgers-New Jersey Medical School, Newark, NJ. PI: Joseph Schwab, MD, MPH |
| 2013 – present | Investigator, Survey of Dietary Habits, Nutritional Status, and Food Security Status of Low-Income Pregnant Women at a High-Risk Obstetric Clinic, Rutgers-New Jersey Medical School, Newark, NJ. PI: Rita Hindin, PhD, MPH |
| 2013 – present | Investigator, Exploration of National Health Interview Survey (NHES) 2012 to Determine Correlates of Complementary and Alternative Medicine (CAM) Use for Pediatric Abdominal Pain, Rutgers-New Jersey Medical School/School of Health-Related Professions, Newark, NJ. PI: Virginia Cowen, PhD |
| 2013 – present | Investigator, Epidemiology of Sexually Transmitted Infections and HIV, and Health Department Activity across New Jersey Counties, Rutgers-New Jersey Medical School, Newark, NJ. PI: Pauline Thomas, MD |
| 2012 – present | Investigator, Trends in Antibiotic Susceptibility and Resistance in Invasive <i>Streptococcus pneumoniae</i> Cases among Newark, NJ Residents Reported to the Local Health Department, 2008-2012, Rutgers-New Jersey Medical School, Newark, NJ. PI: Nisha Jani, MPH and Peter Wenger, MD |

EXHIBIT 3

EXHIBIT 3

~~5. In response to Request #3, the job vacancy notice described duties the applicant for the Fire Medical Officer position is expected to perform, including participation in research projects and health initiatives related to preventative medicine programs, considering the Fire Department's wellness initiatives for its personnel. Further, the selected candidate would be expected to perform the following: provide quality medical care in a high volume patient environment; be diligent in their medical treatment of personnel; determine when they may refer to the workforce; have good interpersonal communication; and have shared responsibility to perform a significant amount of patient evaluations within established clinical hours. In addition, the selected candidate should possess skill in preventive medicine, understanding of healthcare systems and the evaluation of data.~~

~~6. In response to Request #6, the interviews for the Fire Medical Officer position were conducted by Chief Medical Officer, Kerry Kelly, M.D. and Deputy Chief Medical Officer, Vicki Ortiz, M.D. As Chief Medical Officer of the Bureau of Health Services (BHS), Dr. Kelly is responsible for the hiring decisions within the Bureau.~~

7. The Fire Medical Officers hired within BHS from January 2012 to present in order of hiring is as follows:

| Name | Date of Birth | Race | Sex | Family Practice | Date of Hire (as FMO) |
|------------------|---------------|------------------|--------|---------------------|-----------------------|
| Samantha Lam | 11/08/73 | Asian | Female | Family Practice | 05/06/13 |
| James Cheng | 12/30/69 | Asian | Male | Internal Medicine | 05/13/13 |
| Shenecia Beecher | 05/31/84 | African-American | Female | Preventive Medicine | 08/18/14 |

Please direct all communications regarding this matter to the Bureau of Legal Affairs at the above address or by telephone at: (718) 999-2040.

Yours truly,

~~[Signature]~~
~~[Signature]~~
~~[Signature]~~

CIV. ACTION #: 16 CV 91

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X
MARK SPADARO,
ANN MARCHESANO,

Plaintiffs,

-against-

CITY OF NEW YORK,

Defendant.
-----X

COMPLAINT

Law Office of David Wims
1430 Pitkin Ave., 2nd Floor
Brooklyn, NY 11233
(646) 393-9550
Fax (646) 393-9552

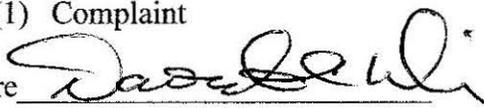
This certification, pursuant to Federal Rule of Civil Procedure 11,

applies to the following within papers:

(1) Complaint

Dated: January 7, 2016

Signature



David C. Wims