

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX-----X
JANE DOE,*Plaintiff,*

Index No. _____

-against-

VERIFIED COMPLAINT

Jury Trial Demanded

THE CITY OF NEW YORK, COMMISSIONER JESSICA TISCH, in her individual and official capacities, FORMER COMMISSIONER EDWARD CABAN, in his individual and official capacities, FORMER CHIEF JEFFREY MADDREY, in his individual and official capacities, FORMER DEPUTY INSPECTOR DAWIT FIKRU, in his individual and official capacities, and JOHN and JANE DOES 1-100, said names being fictitious and intended to represent individual officers, members, agents and/or employees of the New York City Police Department whose names and identities are not yet known to Plaintiff, in their individual and official capacities,

Defendants.

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Plaintiff JANE DOE, by and through her attorneys, THE COCHRAN FIRM, as and for their Verified Complaint hereby alleges as follows:

PRELIMINARY STATEMENT

1. This action arises out of a shameful case of discrimination and retaliation perpetrated by the New York City Police Department and its high-ranking officers. Plaintiff Jane Doe, a 22+ year veteran of the NYPD, is a Palestinian, Muslim woman. Plaintiff became a fully qualified police officer with the NYPD in 2004 and rose through the ranks to become the first Arab American woman and the first Muslim woman to obtain the rank of Captain in the NYPD (Plaintiff Jane Doe shall hereinafter be referred to as "Capt. Doe"). To this day, Capt. Doe remains the highest-ranking Muslim woman, the highest-ranking Palestinian (of any gender), and the highest-ranking Arab woman ever to serve in the NYPD.

2. Instead of being celebrated for her amazing achievements and commitment to service, beginning in or about April of 2020, NYPD Capt. Doe was subjected to a pattern of harassment, stalking, grooming and violent physical, psychological, and verbal abuse as well as rampant sexual harassment at the hands of Hariton Marachilian (“Marachilian”), a now-disgraced-but-long-disgraceful, former NYPD Captain.

3. When the NYPD and internal affairs bureau learned about Capt. Doe’s status as a stalking and domestic violence victim as well as that she was being sexually abused and harassed by Marachilian, instead of protecting her, they actively retaliated against her. In fact, even after it was clear that Marachilian had indisputably committed the crimes of domestic abuse by virtue of his arrest and conviction for them in New Jersey, the NYPD continued to discriminate and retaliate against Capt. Doe. The discrimination and retaliation have not stopped.

4. Capt. Doe brings claims herein under the New York State Human Rights Law (N.Y. Exec. Law § 290, et seq.) (hereinafter “NYSHRL”), New York City Human Rights Law (N.Y.C. Admin. Code § 8-101, et seq.) (hereinafter “NYCHRL”), and for negligent hiring, supervision, training, and retention of employees.

JURISDICTION AND VENUE

5. This Court has jurisdiction over this matter pursuant to CPLR 301.

6. Venue in Bronx County is appropriate pursuant to CPLR 504(3).

PARTIES

Plaintiff

7. Plaintiff, JANE DOE (“Capt. Doe”), is an adult individual.

8. At all times relevant hereto, Capt. Doe was an employee of the New York City Police Department “NYPD,” an agency of the City of New York and was by extension, an employee of the City of New York.

9. Prior to the discriminatory and retaliatory actions taken against her, Capt. Doe was the Commanding Officer of the 50th Precinct of the NYPD, which maintains its headquarters at 3450 Kingsbridge Ave, Bronx, NY 10463.

Municipal Defendants

10. At all times relevant hereto, Defendant THE CITY OF NEW YORK (“NYC”) was a municipal corporation duly existing under and by virtue of the laws of the State of New York and maintained its principal place of business at 100 Church Street, New York, New York 10007.

11. At all times relevant hereto, Defendant NYC supervised, owned, controlled, maintained, managed and operated the municipal agency the New York City Police Department and was responsible for the hiring, training, directing, supervising, and disciplining of its employees which include, but are not limited to Marachilian, Defendant Maddrey, Defendant Fikru, and the Doe Defendants named herein.

Individual Defendants

12. Defendant COMMISSIONER JESSICA TISCH (“Tisch”) is the current commissioner of the NYPD. Since the commencement of her tenure, Defendant Tisch was responsible for training, hiring, supervising, disciplining and retaining the officials, agents and employees of NYPD. In this capacity she was responsible for developing policies to prevent discrimination and retaliation in the workplace and to properly train, discipline and supervise agents, servants, employees, and officials of the NYPD.

13. Defendant FORMER COMMISSIONER EDWARD CABAN (“Defendant Caban”) is the former commissioner of the NYPD that immediately preceded Commissioner Tisch. During his tenure, Defendant Caban was responsible for training, hiring, supervising, disciplining and retaining the officials, agents and employees of NYPD. In this capacity he was charged with developing policy for the prevention and punishment of discrimination and retaliation, training

and supervising agents, servants, employees, and officials of the NYPD and otherwise performed and engaged in conduct incidental to the performance of the agencies functions.

14. Defendant CHIEF JEFFREY MADDREY (“Defendant Maddrey”), until his resignation amidst a litany of allegations of sexual misconduct and other forms of corruption, was Chief of Department of the NYPD.

15. Defendant DEPUTY INSPECTOR DAWIT FIKRU (“Defendant Fikru”) was at all times relevant hereto a Deputy Inspector within the NYPD’s Internal Affairs Bureau.

16. Defendants Tisch, Caban, Maddrey, and Fikru, together with Defendants JOHN and JANE DOES 1-100, described below, shall each be referred to as an “Individual Defendant,” and collectively shall be referred to as the “Individual Defendants.”

Doe Defendants

17. Defendants JOHN and JANE DOES 1-100, said names being fictitious, represent individual officers, members, agents and/or employees of the New York City Police Department, in their individual and official capacities whose names and identities are not yet known to Plaintiff.

FACTUAL ALLEGATIONS

18. Since in or about April of 2020 through in or about December of 2023, Capt. Doe was subjected to a pattern of harassment, stalking, and violent physical, psychological, and verbal abuse as well as rampant sexual harassment at the hands of now-former NYPD Captain Hariton Marachilian. Marachilian and other NYPD officers also knowingly and intentionally shared embarrassing lies in a NYPD electronic communication forum about Capt. Doe in an attempt to silence her from speaking out about the abusive treatment to which she was being subjected.

19. This was on top of physically assaulting Capt. Doe for attempting to end contact and get away from Marachilian. Many of these assaults resulted in horrific injuries such as lasting psychological trauma, and facial lacerations and contusions.

20. Marachilian's behavior towards, and treatment of, Capt. Doe was common knowledge, and well-observed by NYPD leadership, including but not limited to Capt. Doe's and Marachilian's immediate supervisors and chains of command.

21. Due to Capt. Doe's sex, gender, race, religion, and domestic violence victim status, none took corrective action. The end result was a severe and pervasive hostile work environment.

NYPD Captain Jane Doe

22. The American-born daughter of Palestinian parents, Capt. Doe, who grew up between the Bronx, NY and the West Bank in Palestine, always wanted to be a police officer.

23. In 2001, at the age of 18, Capt. Doe joined the NYPD's cadet program while she was working on completing her bachelor's degree in criminal justice.

24. Upon completing her degree, Capt. Doe was appointed a fully qualified police officer, first working as a patrol officer with the 52nd Precinct of the NYPD.

25. From there, she worked her way up through the ranks, first becoming a Sergeant and then a Lieutenant.

26. During this time, Capt. Doe worked in the Bronx in a Police Service Area as a Domestic Violence Sergeant, Assistant Integrity Control Officer and in Manhattan North in the 32nd Precinct as the Special Operations Lieutenant, Internal Affairs Bureau, and Queens North 115 Precinct Detective Squad Commander. In addition, she received specialized training in various NYPD trainings such as Dignitary Protection Criminal Investigators Course, Internal Investigators Course, and earned 10 Excellent Police Duty medals, 4 Meritorious Police Duty medals, and 4 Unit Citations.

27. Throughout her career, Capt. Doe has accepted and excelled in a series of trailblazing assignments and demanding postings of a type that women within the NYPD typically do not undertake, and that few men of equivalent rank have undertaken in such succession. Capt.

Doe's operational, managerial, investigative, and language-based experience, including her command of detective operations in the Bronx, her work with NYPD Internal Affairs Bureau, her specialized investigative and dignitary protection certifications, and her command of the 50th Precinct, exceeds that of similarly situated and comparator male NYPD members of service. At all times relevant hereto, Capt. Doe has been, and remains, the highest-ranking Muslim woman, the highest-ranking Palestinian (of any gender), and the highest-ranking Arab woman ever to serve in the NYPD.

28. Capt. Doe passed the NYPD's Captain's Exam in 2017 and in July of 2021 had the honor of becoming the first Arab American woman to be appointed a Captain of the NYPD, beginning her tenure with the NYPD's Detective Bureau in the Bronx ("DBBX").

29. As a Captain with DBBX, Capt. Doe received the NYC Mayor award.

30. After her distinguished service with DBBX, Capt. Doe was made the Commanding Officer of the NYPD's 50th Precinct and tasked with overseeing the officers serving and protecting the residents of the Riverdale, Fieldston, Kingsbridge, Marble Hill, and Spuyten Duyvil neighborhoods in The Bronx as well as visitors to Van Cortlandt Park.

31. As Commanding Officer of the 50th Precinct, Capt. Doe was recognized for her leadership with several Proclamations from New York City officials, members of the State Assembly, and the Bronx Borough President. During her tenure, she successfully decreased crime within the confines of the 50th Precinct, increased officer activity, and completed Executive Development Training.

32. Her distinguished and exemplary service record notwithstanding, Capt. Doe would go on to face discrimination, retaliation, and sexual harassment, on the basis of her gender and

status as a victim of stalking and domestic violence, which saw her unlawfully removed from her command of the 50th Precinct.

Marachilian's Stalking and Domestic Abuse of Capt. Doe

33. Capt. Doe and Hariton Marachilian met for the first time on or about December 29, 2017, at a dinner that was put on by the NYPD's Mideast and Turkic Society (hereinafter "MTS") in honor of Capt. Doe and Marachilian passing the NYPD's Captain's Exam and from there developed a casual friendship.

34. From the time of their meeting until in or about April of 2020, Capt. Doe and Marachilian would mainly communicate over text messages and the occasional "FaceTime" call and see each other from time to time at various MTS events and other social functions.

35. Beginning in or about April of 2020, however, around the time that Marachilian was starting to face sexual harassment complaints from NYPD Capt. Sharon Balli – who would go on to receive an \$800,000 settlement from the NYPD¹ for the sexual harassment and retaliation she suffered at the hands of Marachilian and others – Marachilian began gradually, then obsessively flirting with Capt. Doe, becoming increasingly obsessed with and possessive of her.

36. By in or about August of 2020, under the pretext of "needing a friend during a hard time" (said hard time meaning Marachilian's transfer to the 75th Precinct in response to Capt. Balli's allegations against him), Marachilian began to repeatedly and randomly show up at the 115th Precinct (in Jackson Heights, Queens, an approximately 11-mile, 35-minutes-with-no-traffic drive from the 75th Precinct), where Capt. Doe was serving in the rank of Lieutenant, to have lunch with her. This persisted for months.

¹ Capt. Balli's claims against Marachilian are discussed in detail *infra*.

37. In or about March or April of 2021 Marachilian unwantedly, uninvitedly, and in a harassing manner touched Capt. Doe's leg while she and Marachilian were driving in Marachilian's NYPD- vehicle. Marachilian accused Capt. Doe of being flirtatious with men and not loving him as much as her other male friends. Marachilian also accused Capt. Doe of not finding him attractive and began that Capt. Doe did not consider him her "type, which made Capt. Doe feel like she had to please him and make him feel better and reassure him.

38. Marachilian then continued to pressure Capt. Doe into having lunch with him while she was working and he was on his way home. During these meetings Marachilian would pressure Capt. Doe to hug him. If Capt. Doe refused, Marachilian would become irate and begin to curse at her, accuse her of having sex with coworkers, and question if she had sex with her husband. By this point Marachilian and the NYPD had already been sued by Capt. Balli for *inter alia* similar conduct. Marachilian would also have similar tantrums if Capt. Doe spent time with other friends or colleagues, particularly male ones.

39. By way of a particularly terrifying example, in or about April or May of 2021, Marachilian, while sitting within the 75th Precinct and on a FaceTime call with Capt. Doe, pressed a handgun² to the inside of his leg and threatened to shoot himself because Capt. Doe wanted to have lunch with other people and not him.

40. Also, around this time period, Marachilian would send repeated and obsessive text messages to Capt. Doe, spam her phone with repeated calls, and even go so far as to harass Capt. Doe's husband when he wanted to hang out with her and she declined.

41. In or about April or May of 2021, as a direct and proximate result of Marachilian's escalating abuse, Capt. Doe began attending therapy. Over the ensuing period, Capt. Doe disclosed

² On information and belief this was Marachilian's NYPD-issued side-arm.

to her treating therapist, contemporaneously, that she did not want or welcome Marachilian's conduct, and recounted to her therapist the course of Marachilian's stalking, harassment, and abuse.

42. On or about April 28, 2021, on the way to an "iftar" – a traditional meal held during the holy month of Ramadan to break the day's fast – held by MTS, Marachilian, without warning, without consent, and over Capt. Doe's vehement objection, sexually assaulted Capt. Doe by grabbing her breasts. Capt. Doe resisted and protested, telling Marachilian to stop, but Marachilian persisted.

43. On or about June 24, 2021, Marachilian and Capt. Doe travelled together from the 75th Precinct to a "Hookah" event put on by the MTS. Marachilian and Capt. Doe rode together in Marachilian's NYPD-issued vehicle.

44. When it was time to go home, at the end of the event's parking lot, Marachilian propositioned Capt. Doe, telling her he wanted to "hook up." Capt. Doe refused, stated she did not want any sexual or romantic contact with Marachilian, and reiterated that she only wanted a friendship.

45. Marachilian became upset and began calling Capt. Doe a "whore" and a "slut" and threw Capt. Doe's seltzer bottle at her. Capt. Doe then tried to get out of the car, but Marachilian began driving fast to prevent her from doing so.

46. When Marachilian slowed down at an intersection, Capt. Doe ran out of the car. Marachilian chased Capt. Doe, physically picked her up, and put her back in the car. Marachilian then began grabbing Capt. Doe's hand and arm so Capt. Doe couldn't escape the car again.

47. Marachilian kept accusing Capt. Doe of being a whore because Capt. Doe danced a traditional line dance called a “dabke” with a colleague. Marachilian kept asking why Capt. Doe didn’t dance with him and why wasn’t he special enough to dance with.

48. Capt. Doe was terrified.

49. Capt. Doe fought to break free and jumped out of the car again about 10 blocks from the 115th precinct. Marachilian chased Capt. Doe again and got in Capt. Doe’s face; Capt. Doe pushed Marachilian back when he tried to grab her by the neck.

50. Capt. Doe began to walk towards the 115th Precinct hoping someone would help if Marachilian followed. Capt. Doe finally made it to her precinct (the 115th) and felt a sense of relief.

51. However, when Capt. Doe got to her car, she noticed that Marachilian was waiting by the precinct’s gas pumps with his headlights on, staring menacingly at her.

52. Capt. Doe got in her car and tried to drive away, but Marachilian blocked her in the entrance with his NYPD-issued vehicle.

53. Marachilian eventually moved only because other NYPD officers began watching, though none of those officers otherwise intervened to assist Capt. Doe.

54. Capt. Doe started to drive away, but Marachilian followed her (still in his NYPD-issued vehicle), repeatedly cutting Capt. Doe off trying to get her to stop, and even unlawfully put his police lights on to pull Capt. Doe over.

55. All the while Marachilian was screaming out of his car window at Capt. Doe that she was a “sharmuta” – a highly offensive and derogatory Arabic word translating roughly as “prostitute” or “whore” – until they came to the break in the roadway and Capt. Doe was able to escape.

56. Marachilian later “apologized” and said he loved Capt. Doe so much he didn’t know how to behave and that he is so jealous because he can’t have her.

57. Throughout the period of abuse, Marachilian relentlessly pressured Capt. Doe for sexual contact, telling her repeatedly and in words or substance that “if we have sex, I will be better,” and pressing this demand upon her on a near-daily basis over a period of approximately two years, each time to be refused by Capt. Doe.

58. On numerous occasions during this period, Marachilian told Capt. Doe, in words or substance, “I should just rape you.” Capt. Doe repeatedly and unequivocally told Marachilian that she did not consent to any sexual or romantic contact, that she would not have an affair with him, and that she wished only to return to the friendship they had previously shared, all of which Marachilian disregarded.

59. Following Capt. Doe’s promotion to Captain and assignment to the Detective Bureau, Bronx (“DBBX”) on July 30, 2021, Marachilian escalated his abuse.

60. In or about August of 2021, when Capt. Doe had to respond to a call of “shots fired,” meaning a caller had reported gunshots, Marachilian didn’t believe that Capt. Doe had to respond to a call, erroneously believing instead that she was going to meet with a male colleague, Marachilian used NYPD resources to verify the call Capt. Doe was responding to, then stalked Capt. Doe to the crime scene to harass her and prevent her from doing her job.

61. Marachilian, while at the crime scene, then accosted Capt. Doe, threatened to rape her, threw a full beer can at her, further physically battered her, and prevented her from leaving until 6 a.m.

62. No members of the NYPD intervened.

63. During the August 2021 crime-scene incident described above, when Capt. Doe did not immediately answer Marachilian's telephone calls, Marachilian repeatedly telephoned Capt. Doe's supervisor, Inspector Hart, and hung up, in order to intimidate Capt. Doe into responding to him. Marachilian also photographed himself at the crime scene, with Capt. Doe visible in the background as she performed her official duties, and thereafter authored a written statement acknowledging his conduct on that occasion.

64. In September of 2021, at an NYPD function, the Chief of Department's boat ride, Marachilian verbally accosted Capt. Doe, erroneously accusing her of flirting with another NYPD Captain who had simply asked Capt. Doe if she had a cigarette lighter he could borrow. Marachilian did this in front of other officers then began to follow Capt. Doe around the vessel, grabbed her repeatedly, and slammed her with a door so hard that she vomited.

65. None of the numerous NYPD officers on board, many of whom were high ranking, intervened.

66. Following the end of the boat ride, Capt. Doe's husband met her to give her a ride home. Marachilian saw Capt. Doe's husband then attempted to humiliate and intimidate him.

67. On or about October 23, 2021, Marachilian stalked Capt. Doe to a social event at Baalbek Lounge in North Bergen, NJ. On information and belief, Marachilian was on duty and driving an arrestee's vouchered vehicle³ at the time.

68. Marachilian then proceeded to insult Capt. Doe in both Arabic and English, in front of speakers of both languages. Amongst other things, Marachilian called Capt. Doe a "whore" and made vulgar and degrading comments about her body. Marachilian recorded some of this behavior

³ A vouchered vehicle is one that has been seized/impounded/towed by the NYPD – typically following an arrest – and for which a voucher has been issued to that its owner may retrieve it.

himself, and sent the recordings to Capt. Doe herself, as well as on information and belief, other members of the NYPD.

69. On several occasions in November of 2021, Marachilian harassed and threatened Capt. Doe's husband, by engaging in unhinged behavior such as taking a picture of himself giving Capt. Doe the middle finger while at her Husband's workplace.

70. In or about this time period and thereafter, Marachilian would remove Capt. Doe from NYPD WhatsApp group chats so he could insult and denigrate her to other NYPD officers.

71. On or about December 8, 2021, Marachilian stalked Capt. Doe from the 75th Precinct in Brooklyn to the DBBX Christmas party in Yonkers, NY, then followed her home, crashed his car into hers, screamed at her in front of her children, and threatened her career if she ever reported him.

72. The following day, December 9, 2021, Marachilian made a fake phone number to send menacing text messages to Capt. Doe and left repeated voicemails on her phone. Marachilian became so deranged that Capt. Doe received a phone call from Marachilian's wife because Marachilian's son had told her that Marachilian was outside ranting for 40 minutes on the phone and she was concerned.

73. On or about April 4, 2022, following an NYPD Emerald Society party Marachilian was upset and wanted to talk to Capt. Doe. When Capt. Doe refused to speak with him he began to make a scene in front of other officers and eventually convinced Capt. Doe to let him in a car with her.

74. Marachilian told Capt. Doe to drive to a secluded spot within the event's parking lot, where he proceeded to physically and violently assault her. When Capt. Doe attempted to

escape by running away, Marachilian smashed Capt. Doe's head against the car, then dragged her along the ground by her hair and smashed her face into a car seat.

75. While Capt. Doe was running, Marachilian yelled out in words or substance "don't run, it makes me crazy, and I must chase you."

76. As a result of being beaten, chased, and dragged, Capt. Doe suffered pain in her legs, hips, and back that lasted weeks.

77. In or about the period between April and July of 2022, following Marachilian's return from a trip abroad, Marachilian demanded that Capt. Doe travel to meet him. Fearful for her safety, Capt. Doe agreed to meet him only at a location near the 111th Precinct. Marachilian proceeded to interrogate Capt. Doe, became violent, and refused to permit her to leave. When Capt. Doe reached her vehicle, Marachilian forced his way inside, climbed on top of her, and, only after Capt. Doe threatened to summon officers from the nearby precinct, spat in Capt. Doe's face and walked away.

78. On or about July 7, 2022, at a Military Ball party, Marachilian falsely and erroneously accused Capt. Doe of talking to another captain for too long and kissing him. Capt. Doe left the party, walked away from the venue to try to hide from Marachilian who went hunting for her. When Marachilian found Capt. Doe he threw a glass bottle at her then began smashing her against a car and tried to grope and kiss her.

79. Later that month in July of 2022, while seated in a car in the vicinity of Salsa Bembe restaurant in Yonkers, NY, Marachilian, wrongfully accused Capt. Doe of flirting with a man, and then proceeded to grab Capt. Doe by the back of her head, slam her into the side of the car, push her head between her legs, punch her repeatedly in the head and slam her body against the inside of the car.

80. After enduring the savage beating, Capt. Doe drove away.

81. After driving away Marachilian had the temerity to call Capt. Doe and harass her for driving away without him.

82. On or about September 12, 2022, Marachilian grabbed Capt. Doe by her clothes and slammed her around a car because Capt. Doe didn't give Marachilian a hug "fast enough."

83. On or about October 16, 2022, Capt. Doe was invited by her colleagues to an NYPD "Cigar Night." Marachilian found out because he insisted on staying on the phone with her all the time so he could hear every word said to or by her.

84. The invitation enraged Marachilian and ultimately, to placate him, Capt. Doe invited him along as well.

85. Concerned that Marachilian would make a scene at the event, Capt. Doe warned Marachilian that she would make an EEO complaint if he did anything to affect her reputation.

86. In return Marachilian took out his phone and showed Capt. Doe a trove of pictures and videos he had surreptitiously, and without Capt. Doe's consent, taken of her while she was wearing a sports bra or while working out at the gym.

87. Marachilian claimed he had only taken them so he could masturbate to them but then proceeded to blackmail Capt. Doe by threatening to release them if she took any action against him. Marachilian would then frequently threaten to blackmail Capt. Doe using his collection of "creep shots."

88. On or about October 26, 2022, after Capt. Doe declined to enter Marachilian's vehicle following an NYPD event, Marachilian pursued Capt. Doe by automobile along Pelham Parkway in the Bronx, blocking her vehicle, cutting her off, and reversing toward her in a menacing manner, causing Capt. Doe to fear that Marachilian would once again follow her to her home.

89. During the course of the pattern of abuse, Marachilian used and threatened to use his rank, position, and personal connections within and without the NYPD to cover up his offenses and did so well before he turned his sights on Capt. Doe.

90. By way of example, on or about December 10, 2022, in Paterson New Jersey following a meetup with some friends, Capt. Doe and Marachilian got into a car together. Once the friends pulled away, Marachilian turned to Capt. Doe and asked when was “the last time”? (meaning the last time she had sex with her husband).

91. Marachilian then said to Capt. Doe in words or substance that he’s so in love with her, that they would be perfect together, and to just tell him when the “last time” was.

92. Capt. Doe tried not to answer and to console him to calm down as Marachilian had told her would work.

93. Marachilian immediately grabbed Capt. Doe by the hair and held her head down and began to smash her head on the dashboard of the car while he drove, all the while asking over and over why Capt. Doe won’t have sex with him.

94. Marachilian then proceeded to assault Capt. Doe for what to her felt like hours.

95. Marachilian began by grabbing Capt. Doe by the hair, ripping it and pulling chunks out while keeping her head down.

96. Marachilian then drove to another location and began hitting Capt. Doe some more, slamming her around the car.

97. Capt. Doe managed to break free and got out of the car.

98. Marachilian then proceeded to chase Capt. Doe, picked her up over his head, and threw her on to the ground.

99. Marachilian got on top of Capt. Doe, and tried choking her, but she managed to temporarily get away.

100. Marachilian then grabbed Capt. Doe by the hair again when she found a passing car and begged for help.

101. Marachilian dragged Capt. Doe by the hair near the passenger side of his car near the side of the road and tried to force Capt. Doe back into the car, scraping her feet and legs in the process.

102. Marachilian then threw Capt. Doe in the back where she began screaming for help.

103. Marachilian took Capt. Doe to another location where Capt. Doe managed to escape yet again.

104. After the brief escape, Marachilian dragged Capt. Doe back in the car where he punched Capt. Doe in the face approximately 9 or 10 times, causing bruises and cuts to her eyes, lips, and forehead, as well as severe swelling and bruising, and a bloody nose.

105. Marachilian also chipped several of Capt. Doe's teeth and ripped out a substantial amount of Capt. Doe's hair

106. Marachilian choked Capt. Doe until she passed out, leaving visible bruising.

107. Capt. Doe had recently taken up boxing to help herself defend against Marachilian because she was afraid. Earlier that week Capt. Doe told Marachilian that her trainer was teaching Capt. Doe how to get out of chokeholds.

108. Marachilian began choking Capt. Doe all the while screaming "did your trainer teach you how to get out of this? Get out of it, let's see."

109. Capt. Doe was too weak to fight at that point and lost consciousness because she couldn't breathe and couldn't break free. The strangulation was so severe that Capt. Doe had bruises in the shape and pattern of Marachilian's fingers on her throat.

110. Capt. Doe had given up by then because she believed if she kept trying to get out or away from Marachilian, he was going to kill her.

111. In that moment Capt. Doe thought about her children and what was going to happen to them if she didn't make it home that night.

112. Capt. Doe sat upright in the passenger side seat, unable to move or scream or think any more.

113. Right after this, police lights lit up behind the vehicle the two were traveling in, and Capt. Doe thought to herself that her nightmare was finally over.

114. Marachilian then said to Capt. Doe "remember the pictures" meaning if she told who beat her up, he will send the pics to other members of the NYPD via email and WhatsApp.

115. Marachilian further stated to Capt. Doe in words or substance that if anything happens to him work-wise, he will never rest until he destroys Capt. Doe, and he will have nothing to lose and nothing but time to get her.

116. Marachilian then said, "let me handle it" and got out and spoke to the police.

117. Marachilian then proceeded to use his rank and title and general NYPD affiliation to persuade the officers to leave without taking any action.

118. Marachilian often threatened Capt. Doe after the incident to keep her quiet.

119. Additionally, Marachilian gave Capt. Doe \$15,000 in cash to pay for continued therapy and extra sessions to cope after and promised to stop pursuing Capt. Doe.

120. Marachilian's "promise" was a lie.

121. Marachilian continued the same pattern of stalking and harassing behaviors, as described above including, but not limited to sending abusive and alarming text messages, including, but not limited to calling her a “whore” and other *per se* defamatory accusations of unchastity, disparaging Capt. Doe to NYPD officers, stalking Capt. Doe to NYPD-related events and functions, and calling her names and harassing her in front of fellow officers and superiors, using NYPD cameras to spy on Capt. Doe, and blackmailing her.

122. Further, at times between the explicitly referenced incidents, Marachilian engaged in the same behaviors towards Capt. Doe.

123. Throughout the period of abuse, Marachilian exploited his NYPD rank and his access to Department resources in order to surveil and monitor Capt. Doe. On information and belief, Marachilian used NYPD surveillance cameras, including cameras located at One Police Plaza, to observe Capt. Doe, to monitor her movements, and to observe with whom she spoke, and he transmitted to Capt. Doe photographs of herself that he had captured by these means. Marachilian further intruded upon Capt. Doe’s work meetings, including video conferences and CompStat sessions to which he had not been invited, in order to monitor and intimidate her.

124. Marachilian’s abuse of Capt. Doe is corroborated by, among other things, Marachilian’s own written admissions. On multiple occasions, Marachilian authored and transmitted to Capt. Doe written statements, referred to herein as “confession letters,” in which he acknowledged his abusive conduct, including with respect to the August 2021 crime-scene assault, the December 8, 2021 pursuit and collision at Capt. Doe’s residence, the October 2022 disclosure of the surreptitiously captured images, and the December 10, 2022 assault in Paterson, New Jersey.

125. Marachilian also sought to procure Capt. Doe’s silence and false testimony. Capt. Doe is in possession of recordings in which Marachilian solicits her to provide false statements in

connection with an official NYPD administrative proceeding (a “GO-15” hearing). Both during and after the period of abuse, and continuing after he was placed on Modified Duty, Marachilian repeatedly warned Capt. Doe against disclosing his conduct, admonishing her that he would otherwise be forced to “defend himself,” a phrase Capt. Doe understood to refer to his threats to disseminate the images and recordings he had taken of her without her consent.

The NYPD’s Retaliation

126. On or about July 23, 2023, Capt. Doe attended an Arab American Heritage Day event in Ardsley, NY.

127. At the event, Capt. Doe recognized and began talking with a woman named “S.M.”⁴ who Capt. Doe had met at a previous MTS event – the NYPD MTS Gala, which was held on or about November 3, 2022, where S.M. was working/performing as a belly dancer.

128. In the course of this conversation, Capt. Doe came to learn that S.M. had been involved with Marachilian, and further came to learn that Marachilian was physically abusing S.M. in a manner similar to how he had abused Capt. Doe.

129. Upon learning that Marachilian was physically abusing S.M., Capt. Doe, out of genuine concern for S.M.’s safety and well-being, warned S.M. by telling her about the approximately two and a half years of stalking, sexual harassment, and physical abuse Marachilian had inflicted upon Capt. Doe.

130. During the course of this conversation, Capt. Doe told S.M. about the savage beating she received from Marachilian on or about December 10, 2022,⁵ and even showed S.M. pictures of her injuries from that night.

⁴ This individual is identified herein by initials in order to protect her privacy and safety.

⁵ The details of this beating have been recited above.

131. S.M., being upset and concerned about what she learned about Marachilian, made a formal complaint/report about Marachilian to the NYPD's Internal Affairs Bureau ("IAB") wherein she told the NYPD about the domestic violence and stalking Capt. Doe had suffered, including the December 10, 2022, beating.

132. It was at this time that the NYPD first became aware of Capt. Doe's protected status as a victim of stalking and domestic violence.

133. The retaliation was swift and severe.

134. Following S.M.'s report to IAB in July or August of 2023, on August 16, 2023, Capt. Doe received a call from NYPD Capt. Johnny Ramirez ("Ramirez"), Capt. Doe's union delegate, informing her that she was going to be placed on Modified Duty.

135. Capt. Ramirez, and Deputy Inspector Profeta ("Profeta") and Sergeant Caucci ("Caucci") from IAB Group 1 came to the 50th Precinct, formally placed Capt. Doe on Modified Duty, took away her badge, her service weapon, and her NYPD-issued cell phone. Ramirez, Profeta, and Caucci then went to Capt. Doe's home and confiscated her personal firearms.

136. Capt. Doe remained on Modified Duty continuously from August 16, 2023, until January 5, 2026, a period of approximately two years and five months, without any legitimate or lawful basis for the deprivation thereof, and during the entirety of which she was denied her badge, service weapon, command, and personal firearms. .

137. In connection with her placement on Modified Duty, the NYPD confiscated Capt. Doe's personal firearms, consisting of a rifle and two handguns, and issued to Capt. Doe a Department identification card affirmatively marked to reflect that she was not permitted to carry firearms. Capt. Doe was thereby rendered defenseless at a time when her abuser remained free

and, on information and belief, was aware that Capt. Doe had been stripped of both her service weapon and her personal firearms.

138. Capt. Doe was then formally removed from her command of the 50th Precinct and replaced by a Caucasian, non-Arab male who on information and belief was not a victim of domestic violence/stalking.

139. Following her removal from command, Capt. Doe was reassigned to Patrol Borough Bronx. Capt. Doe requested to be returned to the Detective Bureau, where she had previously served with distinction, but that request was denied.

140. In stark and telling contrast to the prolonged, retaliatory treatment suffered by Capt. Doe, Marachilian, whose criminal conduct was the very subject of the NYPD's purported investigation, was ultimately arrested, prosecuted, and, upon information and belief, pleaded guilty to Felony Assault and Strangulation arising out of his December 10, 2022, savage attack upon Capt. Doe in Paterson, New Jersey. Marachilian was sentenced to five (5) years of incarceration and, upon information and belief, remains incarcerated to this day. It was thus the criminal justice system of the State of New Jersey, not the NYPD, that held Marachilian accountable for his violent crimes, while the NYPD continued to punish his victim.

141. When Capt. Doe inquired as to the reason for her removal from command and placement on Modified Duty, Profeta simply stated "Good Order of the Police Department."

142. In the immediate aftermath of her modification, Capt. Doe was left without meaningful representation or guidance. Capt. Johnny Ramirez, who had served as union delegate for both Capt. Doe and Marachilian, recused himself on or about August 31, 2023. The law firm associated with the Captains Endowment Association advised Capt. Doe that it would no longer represent her and would arrange separate counsel on her behalf, yet for an extended period Capt.

Doe was left with no attorney to advise her, to explain the basis for her modification, or to guide her cooperation with the pending investigations.

143. Ramirez and Marachilian were friends, with both having been delegates for the Captain's Endowment Association, the NYPD's Captain's Union. Additionally, Marachilian had many close friendships and personal relationships within IAB, Group 1 in particular, which just so happened to be the IAB group "investigating" Capt. Doe.

144. On information and belief, Marachilian also maintained close personal and professional relationships with Defendant Caban and Defendant Maddrey, arising from their shared service in Patrol Borough Brooklyn North and from their common membership and involvement in NYPD fraternal organizations. On further information and belief, these relationships persisted throughout the period of Marachilian's abuse of Capt. Doe and throughout Capt. Doe's placement on Modified Duty, and contributed to the Department's protection of Marachilian and its contemporaneous retaliation against his victim, Capt. Doe.

145. Almost immediately following her removal, the news circulated wildly through NYPD WhatsApp groups along with Capt. Doe's picture and false and defamatory narratives, despite the requirement by NYPD policy that all IAB investigations be kept strictly confidential.

146. By way of example, one of the false messages stated in words or substance that Capt. Doe had been engaged in an inappropriate sexual relationship with Marachilian, had improperly accessed NYPD computer systems to "run" Marachilian, had assaulted a third-party travel agent, had improperly profited from MTS travel arrangements, and was implicated in a sexual escapade allegedly captured on video involving MTS members. These statements were false, were known to the persons disseminating them to be false, and were calculated to humiliate Capt. Doe and to destroy her professional and personal reputation within the NYPD.

147. At the time of her retaliatory modification, Capt. Doe was slated to be honored by then-Mayor Adams for her years of achievement and dedicated service to the City of New York and the NYPD at a ceremony to be held at Gracie Mansion on August 23, 2023.

148. As a direct result of the false narratives propounded by, *inter alia*, a NYPD IT employee and member of the MTS board (referred to herein as “O.B.”), who directly spread the false rumors to NYPD Employee Relations, the Mayor’s Office, and others, Capt. Doe was informed by Employee Relations Commissioner White that she was not to attend the event, even on her own time.

149. In addition, when Capt. Doe was retaliatorily stripped of her command, the NYPD publicly listed her job as being vacant. In contrast, when Marachilian was placed on Modified Duty, his position was silently filled without announcement.

150. The abrupt and public character of the Department’s reversal in its posture toward Capt. Doe is further illustrated by the conduct of First Deputy Commissioner Tanya Kinsella. On or about August 14, 2023, First Deputy Commissioner Kinsella visited the 50th Precinct, posed for a photograph with Capt. Doe, and posted that photograph to social media in a public expression of support for Capt. Doe as a female Commanding Officer. On or about August 16, 2023, immediately following Capt. Doe’s retaliatory placement on Modified Duty, the photograph was removed.

151. As a further consequence of her retaliatory modification, Capt. Doe was denied professional development opportunities to which she otherwise would have been entitled. On or about September 5, 2023, Capt. Doe was denied Police Management Institute training, and, by reason of her modified status, Capt. Doe was rendered ineligible to apply for the FBI National Academy.

152. On or about October 6, 2023, Capt. Doe made a formal complaint against both Marachilian and against NYPD leadership for *inter alia* retaliation to the NYPD's internal EEO Office. Each of the allegations contained herein was contained in Capt. Doe's EEO Complaint. Capt. Doe's EEO Complaint also contained screenshots of Marachilian's disturbing and abusive text messages, proof of his stalking, as well as photographs of Capt. Doe's various injuries.

153. During this period (from her placement on Modified Duty onwards) Passaic County had reached out about the assault occurring in New Jersey; subsequently, Capt. Doe began cooperating with authorities in New Jersey in connection with the December 10, 2022, assault.

154. IAB and the NYPD were aware of this, and not only leaked that information to other members of the NYPD so that Capt. Doe would face renewed and ongoing harassment for exercising her rights as a victim of stalking and domestic violence to cooperate with law enforcement, but also sent officers to Marachilian's home in Syosset, NY to tell him that Capt. Doe had complained to EEO and was cooperating with investigators and prosecutors in, NJ as well as to advise him to retire from the NYPD before he got arrested.

155. This leaking of information by IAB, and the Dept Advocate Office as well as the Captains Endowment Association in addition to being highly unprofessional, and on information and belief a flagrant violation of NYPD procedures, put Capt. Doe in extreme danger, not only in light of both Marachilian's history of stalking and domestic violence towards Capt. Doe and others, but also because the NYPD had retaliatorily confiscated all of Capt. Doe's firearms, something Marachilian, on information and belief, was fully aware of.

156. Group 1's initial retaliatory "investigation" carried on for over a year, during which time Capt. Doe remained on Modified Duty, without her badge and service weapons.

157. Before Capt. Doe could be placed back on full duty, however, on or about December 27, 2024, Defendant Fikru became the leader in charge of IAB Group 1 and retaliatorily “reopened” the fraudulent, discriminatory, and retaliatory “investigation” into Capt. Doe.

158. In this regard, Defendant Fikru should never have been permitted to participate in any investigation into Capt. Doe due to their prior history. While Capt. Doe and Defendant Fikru never worked cases together, both previously served within the Internal Affairs Bureau, albeit in different groups; Defendant Fikru had previously interrogated Capt. Doe in connection with other IAB investigations; and Defendant Fikru had sought Capt. Doe’s professional advice about serving as a commanding officer.

159. In response to that inquiry, Capt. Doe had candidly advised Defendant Fikru that, given that he was a career Internal Affairs Bureau officer who had served in IAB throughout his career and at every rank, she did not believe he was suited to leading a police command in a non-IAB setting. On information and belief, Defendant Fikru harbored personal animus toward Capt. Doe as a result of this candid professional assessment, which further compromised any ability he had to conduct a fair or impartial investigation involving her.

160. On information and belief, at all times relevant hereto, Defendant Fikru was fully aware of S.M.’s complaint to IAB and its contents; Capt. Doe’s complaint to NYPD EEO and its contents, Marachilian’s arrest and the charges pending against him, and the indictment that had been filed against the three Paterson, NJ police officers that responded on December 10, 2022 for *inter alia* official misconduct. Accordingly, at all times hereto, Defendant Fikru had actual or constructive knowledge of Capt. Doe’s status as victim of domestic violence and stalking.

161. Compounding this disqualifying conflict, upon information and belief, Defendant Fikru and Marachilian attended the NYPD Police Academy together, establishing a personal

relationship and loyalty to Marachilian that further rendered Defendant Fikru wholly incapable of conducting a fair, impartial, or lawful investigation into conduct perpetrated by, or related to, Marachilian. Defendant Fikru's personal connection to Marachilian, combined with his prior professional relationship with Capt. Doe and the personal animus he harbored toward her, made his assignment to, and reopening of, the investigation into Capt. Doe a per se conflict of interest and an act of retaliation.

162. This "reopening" prevented Capt. Doe from being taken off Modified Duty.

163. In connection with the sham investigation, on information and belief at the direction of Defendant Fikru, on or about February 19, 2025, NYPD Attorney Neil P. Fenton, Esq., served a subpoena upon Google for access to Capt. Doe's Gmail accounts.

164. When on February 25, 2025, Capt. Doe's counsel informed Mr. Fenton and the NYPD of their intent to move to quash said subpoena, the subpoena was withdrawn within hours. Specifically, Capt. Doe's counsel sent its email to Defendants at approximately 11:57 a.m. and Defendants formally notified Google that they were withdrawing the subpoena at approximately 2:18 p.m.

165. On or about March 12, 2025, Defendant Fikru retaliated against and sexually harassed Capt. Doe in a predatory four-and-a-half-hour "interview."

166. During this interview, Defendant Fikru repeatedly and prolongedly interrogated Capt. Doe about her sexual history, her "relationship" with Marachilian, and other deeply personal topics that had no relevance whatsoever to what Capt. Doe was purportedly being investigated for, and was purely intended to victimize, harass, and re-traumatize Capt. Doe and punish and penalize her for speaking out both against Marachilian and the NYPD for its flagrant retaliation.

167. On information and belief Defendant Fikru retaliated against Capt. Doe by asking about the details of her abusive relationship with Marachilian specifically because of her status as a victim of domestic violence and stalking and knew it would inflict the maximum amount of pain possible.

168. The same day as Defendant Fikru's abusive, retaliatory, and entirely pretextual "interview," Capt. Doe was also served with a retaliatory and pretextual "Notification of Allegations and Employees' Rights" (NYPD Form PD 339-121, Jan 2025 version) falsely accusing Capt. Doe of "Making False Statements in a Department A.G. Hearing," "Impeding an Investigation," and "Offering False Records." These false charges were sent to Capt. Doe by a Christopher Morano from his NYPD email address with a "cc." to Defendant Fikru at his NYPD email address.

169. These allegations were entirely threadbare and did not actually contain a description of the allegedly improper conduct as is required by the plain text of the PD 339-121 form which states on its 2nd page in the section designated for allegations:

Please provide a brief description of the event(s) which resulted in this investigation, including the time, date and location of the event(s). If the member of the service is being served with charges and specifications, a copy of the charges and specification will serve as notice of the allegations.

170. Rather, the complaint only states "Making False Statements in a Department A.G. Hearing," "Impeding an Investigation," and "Offering False Records" in vertical bullet points.

171. The disciplinary charges served upon Capt. Doe by Defendant Fikru were procedurally and substantively defective under the NYPD's own established policies and disciplinary framework. Specifically, the charges included an allegation of "Misuse of a [Department] Vehicle" arising from a single occasion on which Capt. Doe used a Department

vehicle to attend an MTS-related event at which she was present in her official capacity as Vice President of MTS to conduct outreach and recruitment activities on behalf of the fraternal organization. Under the NYPD's own Discipline Matrix, misuse of a vehicle of this nature is categorized as a Level B offense, a category that does not trigger or warrant the placement of a member of service on Modified Duty. The use of a "Misuse of a Vehicle" charge as a predicate for continued Modified Duty status was therefore directly contrary to the NYPD's own published disciplinary guidelines.

172. The charges served upon Capt. Doe further included a charge of "Misuse of Time." The single allegation of Misuse of Time that was substantiated by Defendant Fikru related to a 57-minute interval during which Capt. Doe took a lunch break. As corroborated by the Automatic Vehicle Locator ("AVL") GPS data of Capt. Doe's Department vehicle, Capt. Doe drove to obtain lunch, pulled over en route back to the precinct to eat that lunch, and then returned to base, all within the 60-minute lunch period to which she was entitled under NYPD policy. The substantiation of this allegation by Defendant Fikru was contrary to the documentary AVL evidence and to the NYPD's own time-and-leave policies, and constitutes further evidence of Defendant Fikru's retaliatory and pretextual purpose. Like the vehicle charge, "Misuse of Time" is a minor administrative infraction that under the NYPD Discipline Matrix does not warrant placement on Modified Duty, removal from command, confiscation of a service weapon, or confiscation of personal firearms.

173. Upon information and belief, other similarly situated NYPD members of service have committed comparable or more serious Misuse of Vehicle and Misuse of Time infractions and were not placed on Modified Duty, stripped of command, deprived of their service weapons, or subjected to the confiscation of their personal firearms. The disparate treatment of Capt. Doe as

compared to these similarly situated comparators is explainable only by reference to her protected activity and her membership in protected classes.

174. The charges served upon Capt. Doe related entirely to conduct alleged to have occurred after the date of her retaliatory placement on Modified Duty on August 16, 2023. The minor administrative conduct underlying the Misuse of Vehicle and Misuse of Time charges came to the NYPD's attention, and was investigated, only because Capt. Doe was already on Modified Duty as a result of the prior retaliatory investigation, and only because Defendant Fikru was actively searching for any predicate, however minor, to justify continued and indefinite Modified Duty status. The conduct in question would not have been investigated, charged, or used as a basis for adverse employment action against any similarly situated officer who had not engaged in protected activity.

175. The remaining charges, "Making False Statements in a Department A.G. Hearing," "Impeding an Investigation," and "Offering False Records," were and remain false. Defendant Fikru, at no point during his retaliatory investigation, established or proved that Capt. Doe engaged in any such conduct, and Defendant Fikru failed to credit, consider, or accept Capt. Doe's defenses to these allegations. These charges were fabricated for the purpose of further extending Capt. Doe's Modified Duty status and deepening the retaliation against her.

176. When Capt. Doe sought to challenge the improper "Misuse of Time" allegations contained in the charges, specifically requesting that her union representative communicate with NYPD Deputy Commissioner of Trials Rosemarie Maldonado to have those allegations removed or corrected, her union representative FNU Wellz expressed displeasure and frustration with Capt. Doe for making the request.

177. Rather than advocating on Capt. Doe's behalf, the representative presented Capt. Doe with what was described as a "mitigated" disciplinary disposition, a Command Discipline carrying a forfeiture of eighteen (18) days, and pressured Capt. Doe to accept and sign the disposition agreement, representing that this was the best available outcome and that no further advocacy would be undertaken on her behalf. Capt. Doe was made to feel as though she was being ungrateful for refusing to simply accept a punitive disciplinary outcome based on false charges. This conduct by her union representative constituted a further deprivation of Capt. Doe's rights and compounded the hostile and retaliatory environment she continued to face.

178. The coercive pressure brought to bear on Capt. Doe to accept the proffered disposition was substantial. Had Capt. Doe declined the disposition and contested the fabricated charges, she faced the prospect of additional and more serious charges, the perfecting of formal Charges and Specifications by the Department Advocate's Office (a substantially more severe disciplinary track), a correspondingly larger forfeiture of time and a more severe ultimate penalty, and placement on a disciplinary "hold" pending the resolution of the matter through a Department Trial that, on information and belief, would have lasted approximately an additional two years. While placed on such a hold, Capt. Doe would have been unable to be transferred, unable to attend sought-after professional development opportunities such as the FBI National Academy, unable to retire, and unable to be promoted.

179. Although Capt. Doe had by then been restored to full duty, she remained under the explicit threat of escalation to perfected Charges and Specifications with the correspondingly larger forfeiture of days and more severe penalties attendant thereto, and of a multi-year disciplinary hold that would have foreclosed any transfer, promotion, professional development, or even retirement, all while saddled with a union representative who openly refused to advocate

on her behalf. Under this coercive pressure, Capt. Doe was ultimately compelled to accept the aforementioned disciplinary disposition resolving the Misuse of Vehicle and Misuse of Time charges. Capt. Doe's acceptance of that disposition was the direct product of the coercive and retaliatory disciplinary process described herein and was not the product of any independent determination by the NYPD that the discipline imposed, or the years of Modified Duty that preceded it, were a proportionate or appropriate response to the underlying conduct.

180. On January 5, 2026, and prior to the resolution of the pending disciplinary charges, Capt. Doe was restored to full duty status. The disciplinary matter was resolved only thereafter, when, under the coercive circumstances described herein, Capt. Doe accepted the Command Discipline. The restoration was not, however, accompanied by any return to her prior command, rank-equivalent posting, or comparable assignment. Rather, Capt. Doe was administratively transferred from the 50th Precinct in the Bronx, where she had served as Commanding Officer, to the 10th Precinct in Manhattan, where she was assigned to serve as Executive Officer. The position, by definition, is second in command and a meaningful demotion from the position of Commanding Officer that she had previously held and from which she had been retaliatorily removed.

181. The reassignment of Capt. Doe from Commanding Officer of the 50th Precinct to Executive Officer of the 10th Precinct constitutes a continued adverse employment action and a discrete and ongoing act of retaliation. Despite Capt. Doe's full restoration to duty and despite the agreed disciplinary disposition resolving all underlying charges, Capt. Doe has not been returned to a commanding officer position, has not been assigned to a unit suited to her significant operational, managerial, investigative, and language-based skills (such as the Detective Bureau),

and continues to bear the stigma of the retaliatory investigations and disciplinary process to which Defendants subjected her.

182. Since her restoration on January 5, 2026, Capt. Doe has applied for multiple positions for which she is amply qualified and for which there were existing vacancies, including positions within the Intelligence Division, the Force Investigation Division, Narcotics units in various boroughs, and the Internal Affairs Bureau. Despite Capt. Doe's rare and substantial operational, managerial, investigative, and linguistic qualifications—qualifications that, on information and belief, exceed those of the applicants ultimately selected to fill the relevant vacancies—Capt. Doe has been denied each of these positions.

183. Capt. Doe's continued denial of professional opportunity post-restoration is the direct and proximate result of the discriminatory and retaliatory stigma intentionally created by Defendants through the prolonged Modified Duty placement, the leaked false narratives, the sham investigations, and the coerced disciplinary disposition. On information and belief, the denial of these positions is further attributable to the unwillingness of NYPD commanders to associate with or accept Capt. Doe into their commands because of the discriminatory and retaliatory animus directed at her by Defendants and others within the Department.

184. Far from being disciplined for his conduct, Defendant Fikru was promoted to the rank of Inspector and named Commanding Officer of IAB Group 1 in or about June of 2025, while the retaliation against Capt. Doe remained ongoing. Defendant Fikru was then permitted to retire and receive his pension in December of 2025.

The NYPD's Prior Knowledge

185. The NYPD and its ranking officials, including but not limited to, on information and belief Defendants Caban, and Maddrey, were at all times relevant hereto, fully aware of

Marachilian's propensity for violent and abusive behavior as well as his propensity for stalking, harassing, and abusing female NYPD officers.

186. Indeed, as referenced above, Defendant NYC settled a lawsuit filed by NYPD Capt. Sharon Balli (Balli v. City of New York, et al, New York County Index No. 151100/2021) in which Marachilian was named as a Defendant, for approximately \$800,000.00 after she was victimized by Marachilian in a manner similar to how he victimized Capt. Doe. And like with Capt. Doe, Capt. Balli was retaliated against and subjected to sham pretextual investigations when she reported her abuse to the NYPD's EEO office.

187. Capt. Balli, in her Amended Complaint filed under NYSCEF Doc. No. 4 in that action, alleges *inter alia* that Marachilian made frequent and sexually harassing comments about Capt. Balli's body and appearance, made repeated and sexually harassing remarks about Capt. Balli's sex life with her husband, and, attempted to force his way into a bathroom when Capt. Balli was showering.

188. Marachilian made similar comments about Capt. Doe's body and appearance, made repeated and sexually harassing remarks about Capt. Doe's sex life with her husband.

189. When Capt. Balli complained about Marachilian's treatment of her on or about May 1, 2020, Marachilian and some other of "New York's Finest"⁶ engaged in active retaliation against Capt. Balli.

⁶ These "Finest" included but were not limited to NYPD Captain Edwin Nuez who, per Capt. Balli openly and in meetings bragged about taking frequent vacations to know hotspots for child sex trafficking (e.g., Vietnam, and the Philippines) for the purposes of paying for sexual services and attempted to solicit other NYPD officers to join him on future sex trips to Asia. See Balli v. City of New York, et al, N.Y. County Index No. 151100/2021 at NYSCEF Doc. No. 4, ¶¶ 102-110.

190. For his part, Marachilian's retaliation against Capt. Balli included but was not limited to repeatedly breaking into Capt. Balli's office, destroying Capt. Balli's property, and ejaculating on Capt. Balli's desk while she was out on vacation.⁷

191. Further, Capt. Balli made note in her lawsuit that Marachilian's promotion to Lieutenant was delayed because of sexual harassment allegations.

192. Despite the NYPD's knowledge of Marachilian's predatorial and abusive nature toward women within and without the NYPD, no discipline was meted out to Marachilian, no precaution was taken to prevent further abusive conduct, and Marachilian was not terminated.

193. Ultimately, and shamefully for the NYPD, it took the efforts of New Jersey police and prosecutors to take Marachilian off the force, off the streets, and put him safely behind bars.

194. Further evidencing the NYPD's negligence and deliberate indifference in hiring and retaining Marachilian, upon information and belief, Marachilian initially failed his psychological examination administered as part of the NYPD's pre-employment screening process and was accordingly found to be psychologically unfit for service as a New York City Police Officer. Rather than accepting this determination, Marachilian pursued legal action against the NYPD to challenge his disqualification and, as a result of that litigation, was ultimately permitted to join the force. The NYPD, with full knowledge that Marachilian had been deemed psychologically unfit for police service and had been required to litigate his way onto the force, nevertheless hired, promoted, and retained him, thereby foreseeably enabling the pattern of violent, predatory, and criminal conduct he inflicted upon Capt. Doe and others.

⁷ See Balli v. City of New York, et al., N.Y. County Index No. 151100/2021 at NYSCEF Doc. No. 4, ¶ 195.

195. The negligent training, supervision, and retention of Marachilian by Defendants NYC, Caban, Maddrey, and others served to embolden Marachilian to engage in similar conduct and directly led to his abusive conduct toward Capt. Doe.

196. Indeed, Marachilian's conduct towards Capt. Doe began and continued to escalate while Marachilian was allegedly being investigated in connection with Capt. Balli's allegations. Whatever the NYPD's response, it was obviously insufficient to deter Marachilian and protect Capt. Doe.

197. The NYPD's response to Capt. Balli's complaint was not merely inadequate. It was affirmatively corrupt. Captain James Kobel, the acting Commanding Officer of the NYPD's Office of Equal Employment Opportunity, immediately and improperly disclosed Capt. Balli's confidential complaint to her abusers upon receiving it, enabling swift and organized retaliation against her. Rather than face any discipline for this egregious breach, Kobel was promoted to Deputy Inspector within a month of leaking the complaint.

198. The promotions did not stop there. Andrew Arias, who had served as the commanding officer under whose watch Marachilian's harassment of Capt. Balli occurred and who faced no discipline for it, was appointed Commanding Officer of the NYPD's Hate Crimes Task Force a mere three months after the City paid the \$800,000 settlement in Capt. Balli's case. And Marachilian himself, notwithstanding that his conduct had cost the City of New York \$800,000, was rewarded with the coveted appointment as Commanding Officer of the 90th Precinct in Williamsburg, Brooklyn, just thirteen months after the settlement.

199. The consequences of the NYPD's deliberate choice to reward Arias rather than discipline him were borne, as always, by women within the department. Following his appointment to the Hate Crimes Task Force, Arias subjected another female NYPD employee to repeated and

vicious verbal abuse, calling her a “fat c*nt” on multiple occasions. This abuse was so severe and sustained that the employee underwent surgical intervention and developed alcoholism as a result of the hostile work environment Arias created. Arias has to date faced no discipline whatsoever for this conduct.

200. As such, the NYPD was grossly negligent in its training, retention and supervision of Marachilian, particularly following Capt. Balli’s complaint.

201. Moreover, the NYPD was negligent in its training, supervision, and discipline of its employees tasked with investigating and eliminating sexual harassment and abusive conduct related thereto committed within the ranks of the NYPD. Moreover, the NYPD was negligent with respect to the training and supervision of supervisory employees with respect to the prevention, detection, and elimination of discrimination, harassment, and retaliation within the NYPD ranks, including, but not limited to its grossly negligent training, supervision, and retention of Defendant Fikru.

202. Further still, Defendants Maddrey and Caban and various John and Jane Does created a hostile work environment by failing to follow and enforce policies that protect NYPD members from sexual harassment and physical abuse, negligently retaining employees who were accused of and/or found to have been to have committed physical abuse and sexual harassment of other NYPD employees, negligently supervising those employees who were alleged to have committed sexual harassment and physical abuse of other employees, and negligently supervising NYPD employees, including but not limited to the Internal Affairs Bureau and Defendant Fikru with respect to the investigation of complaints of sexual harassment and assault as well as with the respect to the practice of conducting retaliatory investigations against complainants of sexual harassment and abuse.

The NYPD's Policy

203. The retaliation suffered by Capt. Doe was not unique, and occurred under a pattern and practice of retaliation, headed up by *inter alia*, then-Chief of Department Defendant Maddrey, who himself resigned from the NYPD in light of revelations that he himself is a serial sexual harasser and sexual predator who, engaged directly in this type of sexual harassment, failure to discipline, and abuse while Capt. Doe was being abused by Marachilian.

204. The misconduct described herein did not occur in a vacuum. The NYPD's pattern and practice of tolerating, concealing, and rewarding sexual misconduct against female officers and employees is pervasive, longstanding, and well-documented across multiple commands, precincts, and ranks.

205. By way of further example, in April 2023, a civilian NYPD employee assigned to the Property Unit filed a lawsuit alleging that Lieutenant Widler Lucas sexually assaulted her in his office while serving as the unit's Integrity Control Officer. The NYPD initially refused to place Lucas on modified duty, requiring the victim's counsel to contact Internal Affairs directly out of concern that Lucas might harm her in retaliation. The victim was ultimately compelled to obtain a family order of protection merely to force the NYPD to take the most basic protective step on her behalf. Lucas was criminally indicted in August 2023 on charges including criminal sexual act, sexual misconduct, and aggravated harassment, facing more than twenty years of potential incarceration. Despite this, the Police Commissioner personally signed off on permitting Lucas to vest his seventeen-year pension and separate from the NYPD without ever facing an internal disciplinary trial, in a pattern directly mirroring the preferential treatment afforded to Marachilian.

206. The NYPD likewise permitted Captain Brian Flynn, who served as Commanding Officer of the NYPD's Warrant Section, whose offices were housed within the 50th Precinct stationhouse that Capt. Doe would later command, to escape meaningful accountability for

egregious and documented sexual misconduct against a subordinate detective. Flynn repeatedly transmitted photographs of his genitalia to the detective and, when she blocked his number, posted images of a rat bearing her name at her workplace. He conditioned her scheduling and employment benefits directly upon her acquiescence to his advances and, on at least five separate occasions during working hours, masturbated and ejaculated onto a napkin, photographing the results and transmitting them to her. Rather than terminate Flynn, the NYPD transferred him to the Manhattan Court Section. During the ensuing disciplinary proceedings, when the detective declined to surrender her personal cellular telephone for warrantless mirroring by investigators, those investigators told her that she “must have wanted the pictures sent to her.” As of the filing of this complaint, the disciplinary matter remains deliberately unresolved, with the complaint alleging that the City is purposefully delaying resolution to permit Flynn to reach his twenty-year pension eligibility.

207. Captain Antonio Pagan, Commanding Officer of Bronx Communications, subjected a civilian NYPD employee to a sustained course of sexual harassment, demanding her underwear, soliciting photographs of her emerging from the shower, and conditioning the granting of childcare leave upon her providing photographs of herself in Islamic attire. Pagan was captured on video telling the employee that if she sat on his lap he would reduce a pending disciplinary finding against her to a mere warning. He also became possessively jealous and directed her to cease communicating with a male supervisor about work matters. After the employee made a complaint, Pagan appeared unannounced at her vehicle on her day off while she was driving with her young child and her niece, effectuating what amounted to an unauthorized car stop in order to interrogate her about his transfer. An administrative law judge found Pagan guilty of sexual harassment, inappropriate touching, and creating a hostile work environment on the basis of

religion, and recommended his termination. Defendant Caban, acting in his capacity as Police Commissioner, upheld the guilty finding but unilaterally reduced the penalty to a forfeiture of sixty vacation days. Pagan earned \$216,760 in 2024.

208. In September 2023, a retired NYPD Sergeant brought suit under the Adult Survivors Act alleging that First Grade Detective Neftali Cruz raped her on two separate occasions and subsequently exploited his access to NYPD law enforcement databases to stalk and harass her. The immediate aftermath of the second rape was captured on a recording in which Cruz audibly apologizes to his shaken victim. When the matter received media attention, the City declined to initiate any internal disciplinary proceedings against Cruz, claiming that the requisite thirty-day disciplinary window had expired. Cruz was permitted to retire in full standing, with a favorable separation letter and his full pension intact.

209. The NYPD's pattern of permitting male precinct commanders accused of serious sexual misconduct to remain in command, or to be promoted, while their female subordinate accusers are sidelined, was further on display in the matter of NYPD precinct commander Jeremy Scheublin. Notwithstanding allegations that Scheublin had committed a violent sexual offense against a female subordinate officer under his command, Scheublin was for approximately two years not demoted, not relieved of command, and not placed on modified duty. On information and belief, Scheublin was in fact promoted after the allegations against him were lodged. It was only after the allegations became the subject of news media coverage in or about March 2026 that Scheublin was finally placed on modified duty. The treatment of Scheublin stands in stark contrast to the treatment of Capt. Doe, who was placed on Modified Duty, stripped of command, and stripped of her service weapon and personal firearms, not for any allegation of criminal sexual misconduct, but for being the victim of such misconduct.

210. Sergeant Roxanne Ludemann was subjected to a sustained course of sexual harassment by senior mayoral aide Timothy Pearson, who conditioned her prospects for promotion upon her engaging in sexual relations with him. Chief Miltiadis Marmara personally witnessed Pearson improperly touching Ludemann and took steps to ensure that Pearson was never left alone with women in the office. When Chief Marmara confronted Pearson, Pearson enlisted Defendant Maddrey and Inspector Joseph Profeta to retaliate against Ludemann and those who had supported her, forcing Ludemann to retire. The NYPD's response was to institute disciplinary charges against Chief Marmara for having the temerity to confront Pearson, while promoting Profeta to Inspector. Neither Defendant Maddrey nor Pearson faced any discipline whatsoever. Inspector Profeta also mistreated and retaliated against Detective Pollyann Dixon, a Black woman NYPD employee, who has asserted claims against him accordingly.

211. In November 2022, a detective assigned to the NYPD's Office of Equal Employment Opportunity received an unsolicited photograph of the genitalia of her supervising Lieutenant, Jose Briceno. The detective disclosed the image to two female sergeants, both of whom failed to fulfill their mandatory reporting obligations. A male sergeant who independently learned of the incident filed a complaint on the detective's behalf. Both the detective and the male sergeant were openly retaliated against by other supervisors, including their Commanding Officer, Captain Mary King. While Briceno was ultimately terminated, King faced no adverse action despite her retaliatory conduct toward the reporting parties.

212. Defendant Maddrey's pattern of misconduct extended well before his tenure as Chief of Department. He was found to have engaged in a sexual relationship with Detective Tabatha Foster, a subordinate officer, and to have physically assaulted her in 2016. Defendant Maddrey lied about both the relationship and the assault during an official NYPD interview,

pleaded guilty to departmental charges, and forfeited forty-five vacation days. He was thereafter promoted repeatedly, ultimately ascending to the position of Chief of Department. Defendant Caban was himself accused of fraternizing with female subordinates, engaging in sexual acts with subordinate officers while on duty, and providing professional advancement to women with whom he had engaged in such conduct. These allegations were suppressed rather than investigated, after which Caban was appointed to the position of Police Commissioner.

213. Defendant Caban's tenure as Police Commissioner ended in September of 2024, when he resigned days after federal agents seized his cellphone in connection with federal corruption investigations concerning, inter alia, the NYPD's enforcement practices toward nightlife establishments and the conduct of his twin brother. Thereafter, in July of 2025, four former NYPD chiefs filed lawsuits in New York County Supreme Court alleging, inter alia, that Defendant Caban sold promotions to favored officers for sums of up to \$15,000, that Defendant Caban and Defendant Maddrey installed unqualified associates in senior positions and worked to quell internal investigations, and that members of service who objected were demoted or forced out of the Department.

214. Captain Gabrielle Walls was subjected to years of unwanted sexual advances and comments by Defendant Maddrey, who visited her command with such frequency that she was compelled to turn off her office lights and conceal herself to avoid him. A supervising Inspector reported to Capt. Walls that Defendant Maddrey and Assistant Chief Scott Henderson openly discussed and competed with each other over which of them would be the first to have sex with her. Henderson physically cornered Capt. Walls, grabbed her arm, and kissed her on the face against her will. When Capt. Walls later challenged the promotion of less-qualified male colleagues, Henderson told her that a female officer had received a promotion because "maybe she

was willing to do some things that you are not willing to do.” Henderson then punitively transferred Capt. Walls to the 79th Precinct. Senior mayoral aide Timothy Pearson separately conditioned Capt. Walls’s professional advancement upon private weekly meetings conducted inside his vehicle. Less than two weeks after Capt. Walls filed her lawsuit, she was punitively transferred again, this time to the 114th Precinct in Queens.

215. In addition to the foregoing pattern of tolerating, concealing, and rewarding sexual misconduct, Defendant Fikru’s own conduct during his tenure as the leader in charge of IAB Group 1 reflected a pattern of pursuing pretextual and unfounded misuse-of-vehicle and related minor administrative charges against Arab male officers and other officers belonging to protected classes, charges which, on information and belief, would not have been investigated or pursued against similarly situated officers outside of those classes. By way of example, on information and belief, Defendant Fikru pursued a substantially identical and substantively frivolous misuse-of-vehicle investigation against an Arab male NYPD member of service, in which the vehicle-misuse case was ultimately dropped, and which led that officer to commence civil litigation against Defendants. The conduct of Defendant Fikru reflected a pattern and practice of selectively investigating and charging officers based upon protected characteristics, and lends further support to the inference that the pretextual charges advanced against Capt. Doe were motivated by retaliatory and discriminatory animus.

216. Defendant Fikru’s conduct of investigations has likewise been challenged in other litigation. In *Foster v. City of New York, et al.*, Index No. 810713/2026E (Sup. Ct., Bronx Cty., filed May 31, 2026), another NYPD member of service alleges that Defendant Fikru, while exercising command-level, reviewing, approving, and ratification authority over an Internal Affairs Bureau investigation (SIU Case No. M-2024-1217), authored an April 16, 2025

Commanding Officer Case Review in which he prejudged the favored officer to be the victim, expressly acknowledged unresolved allegations against that officer and investigative defects, including his admission that a material witness “should not have been removed” and that computer audits of the favored officer were required, yet characterized the defective investigation as “great work,” directed the investigative team to “wrap it all up,” instructed that the allegations be organized to align with the existing Charges and Specifications, and ratified a contaminated, complainant-driven disciplinary case against an NYPD officer who, like Capt. Doe, alleges that the Department converted her status as a victim and outcry source into a disciplinary prosecution.⁸ The *Foster* plaintiff likewise asserts claims for retaliation and for discrimination based on her actual or perceived status as a victim of domestic violence under both the NYSHRL and the NYCHRL

217. The above is a non-exhaustive recounting of the documented misconduct that has occurred within the NYPD and been either ignored, concealed, or rewarded by Defendants.

218. Defendant Maddrey’s record in this regard is further reflected in the following lawsuits filed against him, including but not limited to:

- a. Roxanne Ludemann v. City of New York, et al.,
N.Y. County Index No. 152601/2024
- b. Michael Ferrari v. City of New York, et al.,
N.Y. County Index No. 153625/2024
- c. Gabrielle Walls v. City of New York, et al.,
N.Y. County Index No. 156492/2024
- d. Miltiadis Marmara v. City of New York, et al.,
N.Y. County Index No. 156892/2024
- e. Harper Kaye Hendrickson v. City of New York, et al.,
N.Y. County Index No. 952379/2023

⁸ See *Foster*, NYSCEF Doc. No. 1, at, inter alia, ¶¶ 60-65, 93-95, 110-111, 224-242 & n.1.

219. When Capt. Doe complained about the abusive treatment to the NYPD, she was immediately retaliated against. Capt. Doe, due to her sex, gender, race, religion, and domestic violence victim status, was subjected to a campaign of bullying, harassment, and retaliation by individuals as well as the NYPD itself, acts which further exacerbated the hostile work environment Capt. Doe had already been subjected to.

220. As a direct and proximate result of the foregoing, Capt. Doe was, and continues to be, damaged as follows:

FIRST CAUSE OF ACTION

Domestic Violence Victim Discrimination in Violation of N.Y. Exec. Law § 290 *et. seq.* (Against All Defendants)

221. Plaintiff repeats and realleges the allegations contained in each of the foregoing Paragraphs as if fully set forth herein.

222. N.Y. Exec. Law § 296 provides that “[i]t shall be an unlawful discriminatory practice: (a) For an employer or licensing agency, because of an individual’s age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status, or status as a victim of domestic violence, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment.”

223. As a victim of domestic violence Capt. Doe was at all times hereto a member of a protected class.

224. At all times relevant hereto, Capt. Doe was qualified to hold her position, having passed the NYPD Captain’s Examination in 2017 and receiving a merit-based promotion to Captain in July 2021.

225. Defendants, jointly and severally, engaged in and are still engaging in unlawful discriminatory practices by fostering, condoning, accepting, ratifying and/or otherwise failing to prevent or to remedy discrimination of Plaintiff thereby discriminating against the Plaintiff because of Plaintiff's actual or perceived protected characteristics including but not limited to Capt. Doe's domestic violence victim status.

226. Defendants discriminated against Capt. Doe by *inter alia*, subjecting Capt. Doe to adverse employment actions including but not limited to removing Capt. Doe from her command at the 50th Precinct and by placing Capt. Doe on Modified Duty.

227. As a direct and proximate result of Defendants' unlawful and discriminatory conduct in violation of the N.Y. Exec. Law § 290 *et. seq.*, Plaintiff suffered, and continues to suffer, monetary and/or economic damages, including, but not limited to, loss of past and future income, compensation, and benefits, for which Plaintiff is entitled to an award of monetary damages and other relief.

228. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the N.Y. Exec. Law § 290, *et. seq.*, Plaintiff suffered and continues to suffer severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering, for which Plaintiff is entitled to an award of monetary damages and other relief.

229. Plaintiff hereby makes claims against Defendants under all applicable paragraphs of N.Y. Exec. Law § 290 *et. seq.*

230. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the N.Y. Exec. Law § 290, *et. seq.*, Plaintiff is entitled to an award of

compensatory damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all lower courts.

231. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the N.Y. Exec. Law § 290, *et. seq.*, Plaintiff is entitled to an award of punitive damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts.

SECOND CAUSE OF ACTION

Sex/Gender Discrimination in Violation of N.Y. Exec. Law § 290 *et. seq.* (Against All Defendants)

232. Plaintiff repeats and realleges the allegations contained in each of the foregoing Paragraphs as if fully set forth herein.

233. N.Y. Exec. Law § 296 provides that “[i]t shall be an unlawful discriminatory practice: (a) For an employer or licensing agency, because of an individual’s age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status, or status as a victim of domestic violence, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment.”

234. As a woman, Capt. Doe was at all times hereto a member of a protected class.

235. At all times relevant hereto, Capt. Doe was qualified to hold her position, having passed the NYPD Captain’s Examination in 2017 and receiving a merit-based promotion to Captain in July 2021.

236. Defendants, jointly and severally, engaged in and are still engaging in unlawful discriminatory practices by fostering, condoning, accepting, ratifying and/or otherwise failing to prevent or to remedy discrimination of Plaintiff thereby discriminating against the Plaintiff

because of Plaintiff's actual or perceived protected characteristics including but not limited to Capt. Doe's sex/gender.

237. Defendants discriminated against Capt. Doe by *inter alia*, subjecting Capt. Doe to adverse employment actions including but not limited to removing Capt. Doe from her command at the 50th Precinct and by placing Capt. Doe on Modified Duty.

238. Further, Capt. Doe was subjected to sexual harassment and a sexually hostile work environment, including but not limited to by Defendant Fikru on or about March 12, 2025, when Defendant Fikru improperly interrogated Capt. Doe about her sexual history in the course of a predatory and retaliatory investigation.

239. As a direct and proximate result of Defendants' unlawful and discriminatory conduct in violation of the N.Y. Exec. Law § 290 *et. seq.*, Plaintiff suffered, and continues to suffer, monetary and/or economic damages, including, but not limited to, loss of past and future income, compensation, and benefits, for which Plaintiff is entitled to an award of monetary damages and other relief.

240. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the N.Y. Exec. Law § 290, *et. seq.*, Plaintiff suffered and continues to suffer severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering, for which Plaintiff is entitled to an award of monetary damages and other relief.

241. Plaintiff hereby makes claims against Defendants under all applicable paragraphs of N.Y. Exec. Law § 290 *et. seq.*

242. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the N.Y. Exec. Law § 290, *et. seq.*, Plaintiff is entitled to an award of compensatory damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all lower courts.

243. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the N.Y. Exec. Law § 290, *et. seq.*, Plaintiff is entitled to an award of punitive damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts.

THIRD CAUSE OF ACTION

Race/National Origin Discrimination in Violation of N.Y. Exec. Law § 290 *et. seq.* (Against All Defendants)

244. Plaintiff repeats and realleges the allegations contained in each of the foregoing Paragraphs as if fully set forth herein.

245. N.Y. Exec. Law § 296 provides that “[i]t shall be an unlawful discriminatory practice: (a) For an employer or licensing agency, because of an individual’s age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status, or status as a victim of domestic violence, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment.”

246. As a Palestinian American, Capt. Doe was at all times hereto a member of a protected class.

247. At all times relevant hereto, Capt. Doe was qualified to hold her position, having passed the NYPD Captain’s Examination in 2017 and receiving a merit-based promotion to Captain in July 2021.

248. Defendants, jointly and severally, engaged in and are still engaging in unlawful discriminatory practices by fostering, condoning, accepting, ratifying and/or otherwise failing to prevent or to remedy discrimination of Plaintiff thereby discriminating against the Plaintiff because of Plaintiff's actual or perceived protected characteristics including but not limited to Capt. Doe's Palestinian race/national origin/ethnicity.

249. Defendants discriminated against Capt. Doe by *inter alia*, subjecting Capt. Doe to adverse employment actions including but not limited to removing Capt. Doe from her command at the 50th Precinct and by placing Capt. Doe on Modified Duty.

250. As a direct and proximate result of Defendants' unlawful and discriminatory conduct in violation of the N.Y. Exec. Law § 290 *et. seq.*, Plaintiff suffered, and continues to suffer, monetary and/or economic damages, including, but not limited to, loss of past and future income, compensation, and benefits, for which Plaintiff is entitled to an award of monetary damages and other relief.

251. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the N.Y. Exec. Law § 290, *et. seq.*, Plaintiff suffered and continues to suffer severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering, for which Plaintiff is entitled to an award of monetary damages and other relief.

252. Plaintiff hereby makes claims against Defendants under all applicable paragraphs of N.Y. Exec. Law § 290 *et. seq.*

253. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the N.Y. Exec. Law § 290, *et. seq.*, Plaintiff is entitled to an award of

compensatory damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all lower courts.

254. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the N.Y. Exec. Law § 290, *et. seq.*, Plaintiff is entitled to an award of punitive damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts.

FOURTH CAUSE OF ACTION

Religious Discrimination in Violation of N.Y. Exec. Law § 290 *et. seq.*
(Against All Defendants)

255. Plaintiff repeats and realleges the allegations contained in each of the foregoing Paragraphs as if fully set forth herein.

256. N.Y. Exec. Law § 296 provides that "[i]t shall be an unlawful discriminatory practice: (a) For an employer or licensing agency, because of an individual's age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status, or status as a victim of domestic violence, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment."

257. As a Muslim, Capt. Doe was at all times hereto a member of a protected class.

258. At all times relevant hereto, Capt. Doe was qualified to hold her position, having passed the NYPD Captain's Examination in 2017 and receiving a merit-based promotion to Captain in July 2021.

259. Defendants, jointly and severally, engaged in and are still engaging in unlawful discriminatory practices by fostering, condoning, accepting, ratifying and/or otherwise failing to prevent or to remedy discrimination of Plaintiff thereby discriminating against the Plaintiff

because of Plaintiff's actual or perceived protected characteristics including but not limited to Capt. Doe's religion status.

260. Defendants discriminated against Capt. Doe by *inter alia*, subjecting Capt. Doe to adverse employment actions including but not limited to removing Capt. Doe from her command at the 50th Precinct and by placing Capt. Doe on Modified Duty.

261. As a direct and proximate result of Defendants' unlawful and discriminatory conduct in violation of the N.Y. Exec. Law § 290 *et. seq.*, Plaintiff suffered, and continues to suffer, monetary and/or economic damages, including, but not limited to, loss of past and future income, compensation, and benefits, for which Plaintiff is entitled to an award of monetary damages and other relief.

262. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the N.Y. Exec. Law § 290, *et. seq.*, Plaintiff suffered and continues to suffer severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering, for which Plaintiff is entitled to an award of monetary damages and other relief.

263. Plaintiff hereby makes claims against Defendants under all applicable paragraphs of N.Y. Exec. Law § 290 *et. seq.*

264. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the N.Y. Exec. Law § 290, *et. seq.*, Plaintiff is entitled to an award of compensatory damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all lower courts.

265. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the N.Y. Exec. Law § 290, *et. seq.*, Plaintiff is entitled to an award of punitive damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts.

266.

FIFTH CAUSE OF ACTION

Domestic Violence/Stalking Discrimination in Violation of NYC Admin. Code § 8-101, *et seq.*
(Against All Defendants)

267. Plaintiff repeats and realleges the allegations contained in each of the foregoing Paragraphs as if fully set forth herein.

268. NYC Admin. Code § 8-107(27) provides that "[i]t shall be an unlawful discriminatory practice for an employer, or an agent thereof, because of any individual's actual or perceived status as a victim of domestic violence, or as a victim of sex offenses or stalking: (1) [t]o represent that any employment or position is not available when in fact it is available; (2) [t]o refuse to hire or employ or to bar or to discharge from employment; or (3) [t]o discriminate against an individual in compensation or other terms, conditions, or privileges of employment.

269. At all times relevant hereto, Capt. Doe was a victim of stalking and domestic violence.

270. Defendants, jointly and severally, engaged in and are still engaging in unlawful discriminatory practices by fostering, condoning, accepting, ratifying and/or otherwise failing to prevent or to remedy discrimination of Plaintiff thereby discriminating against the Plaintiff because of Plaintiff's status as a victim of domestic violence and stalking.

271. On account of Capt. Doe's status as a victim of domestic violence and stalking, Capt. Doe was subjected to unfavorable employment changes in the manner alleged *supra*,

including but not limited to removing Capt. Doe from her command at the 50th Precinct and by placing Capt. Doe on Modified Duty. Capt. Doe was also generally treated less well than other employees with respect to her terms, conditions, and benefits of employment.

272. As a direct and proximate result of Defendants' unlawful and discriminatory conduct in violation of the NYC Admin. Code § 8-101, *et seq.*, Plaintiff suffered, and continues to suffer, monetary and/or economic damages, including, but not limited to, loss of past and future income, compensation, and benefits, for which Plaintiff is entitled to an award of monetary damages and other relief.

273. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the NYC Admin. Code § 8-101, *et seq.*, Plaintiff suffered and continues to suffer severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering, for which Plaintiff is entitled to an award of monetary damages and other relief.

274. Plaintiff hereby makes claims against Defendants under all applicable paragraphs of NYC Admin. Code § 8-101, *et seq.*

275. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the NYC Admin. Code § 8-101, *et seq.*, Plaintiff is entitled to an award of compensatory damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts.

276. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the NYC Admin. Code § 8-101, *et seq.*, Plaintiff is entitled to an award of

punitive damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts.

277.

SIXTH CAUSE OF ACTION

Sex/Gender Discrimination in Violation of NYC Admin. Code § 8-101, et seq.
(Against All Defendants)

278. Plaintiff repeats and realleges the allegations contained in each of the foregoing Paragraphs as if fully set forth herein.

279. NYC Admin. Code § 8-107(1) provides that “[i]t shall be an unlawful discriminatory practice: (a) For an employer or an employee or agent thereof, because of the actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, caregiver status, sexual and reproductive health decisions, sexual orientation, uniformed service or immigration or citizenship status of any person . to discriminate against such person in compensation or in terms, conditions or privileges of employment.”

280. As a woman, Capt. Doe was at all times hereto a member of a protected class.

281. At all times relevant hereto, Capt. Doe was qualified to hold her position, having passed the NYPD Captain’s Examination in 2017 and receiving a merit-based promotion to Captain in July 2021.

282. Defendants, jointly and severally, engaged in and are still engaging in unlawful discriminatory practices by fostering, condoning, accepting, ratifying and/or otherwise failing to prevent or to remedy discrimination of Plaintiff thereby discriminating against the Plaintiff because of Plaintiff’s actual or perceived sex/gender.

283. On account of Capt. Doe’s sex/gender, Capt. Doe was subjected to unfavorable employment changes in the manner alleged supra, including but not limited to removing Capt. Doe

from her command at the 50th Precinct and by placing Capt. Doe on Modified Duty. Capt. Doe was also generally treated less well than other employees with respect to her terms, conditions, and benefits of employment.

284. Further, Capt. Doe was subjected to sexual harassment and a sexually hostile work environment, including but not limited to by Defendant Fikru on or about March 12, 2025, when Defendant Fikru improperly interrogated Capt. Doe about her sexual history in the course of a predatory and retaliatory investigation.

285. As a direct and proximate result of Defendants' unlawful and discriminatory conduct in violation of the NYC Admin. Code § 8-101, et seq., Plaintiff suffered, and continues to suffer, monetary and/or economic damages, including, but not limited to, loss of past and future income, compensation, and benefits, for which Plaintiff is entitled to an award of monetary damages and other relief.

286. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the NYC Admin. Code § 8-101, et seq., Plaintiff suffered and continues to suffer severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering, for which Plaintiff is entitled to an award of monetary damages and other relief.

287. Plaintiff hereby makes claims against Defendants under all applicable paragraphs of NYC Admin. Code § 8-101, et seq.

288. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the NYC Admin. Code § 8-101, et seq., Plaintiff is entitled to an award of

compensatory damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts.

289. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the NYC Admin. Code § 8-101, et seq., Plaintiff is entitled to an award of punitive damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts.

SEVENTH CAUSE OF ACTION

Race/National Origin Discrimination in Violation of NYC Admin. Code § 8-101, et seq. (Against All Defendants)

290. Plaintiff repeats and realleges the allegations contained in each of the foregoing Paragraphs as if fully set forth herein.

291. NYC Admin. Code § 8-107(1) provides that “[i]t shall be an unlawful discriminatory practice: (a) For an employer or an employee or agent thereof, because of the actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, caregiver status, sexual and reproductive health decisions, sexual orientation, uniformed service or immigration or citizenship status of any person . to discriminate against such person in compensation or in terms, conditions or privileges of employment.”

292. As a Palestinian American, Capt. Doe was at all times hereto a member of a protected class.

293. At all times relevant hereto, Capt. Doe was qualified to hold her position, having passed the NYPD Captain's Examination in 2017 and receiving a merit-based promotion to Captain in July 2021.

294. Defendants, jointly and severally, engaged in and are still engaging in unlawful discriminatory practices by fostering, condoning, accepting, ratifying and/or otherwise failing to

prevent or to remedy discrimination of Plaintiff thereby discriminating against the Plaintiff because of Plaintiff's actual or perceived race/national origin.

295. On account of Capt. Doe's Race/National Origin, Capt. Doe was subjected to unfavorable employment changes in the manner alleged supra, including but not limited to removing Capt. Doe from her command at the 50th Precinct and by placing Capt. Doe on Modified Duty. Capt. Doe was also generally treated less well than other employees with respect to her terms, conditions, and benefits of employment.

296. As a direct and proximate result of Defendants' unlawful and discriminatory conduct in violation of the NYC Admin. Code § 8-101, et seq., Plaintiff suffered, and continues to suffer, monetary and/or economic damages, including, but not limited to, loss of past and future income, compensation, and benefits, for which Plaintiff is entitled to an award of monetary damages and other relief.

297. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the NYC Admin. Code § 8-101, et seq., Plaintiff suffered and continues to suffer severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering, for which Plaintiff is entitled to an award of monetary damages and other relief.

298. Plaintiff hereby makes claims against Defendants under all applicable paragraphs of NYC Admin. Code § 8-101, et seq.

299. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the NYC Admin. Code § 8-101, et seq., Plaintiff is entitled to an award of

compensatory damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts.

300. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the NYC Admin. Code § 8-101, et seq., Plaintiff is entitled to an award of punitive damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts.

EIGHTH CAUSE OF ACTION

Religious Discrimination in Violation of NYC Admin. Code § 8-101, et seq.
(Against All Defendants)

301. Plaintiff repeats and realleges the allegations contained in each of the foregoing Paragraphs as if fully set forth herein.

302. NYC Admin. Code § 8-107(1) provides that “[i]t shall be an unlawful discriminatory practice: (a) For an employer or an employee or agent thereof, because of the actual or perceived age, race, creed, color, national origin, gender, disability, marital status, partnership status, caregiver status, sexual and reproductive health decisions, sexual orientation, uniformed service or immigration or citizenship status of any person . to discriminate against such person in compensation or in terms, conditions or privileges of employment.”

303. As a Muslim, Capt. Doe was at all times hereto a member of a protected class.

304. At all times relevant hereto, Capt. Doe was qualified to hold her position, having passed the NYPD Captain's Examination in 2017 and receiving a merit-based promotion to Captain in July 2021.

305. Defendants, jointly and severally, engaged in and are still engaging in unlawful discriminatory practices by fostering, condoning, accepting, ratifying and/or otherwise failing to

prevent or to remedy discrimination of Plaintiff thereby discriminating against the Plaintiff because of Plaintiff's religion.

306. On account of Capt. Doe's religion, Capt. Doe was subjected to unfavorable employment changes in the manner alleged supra, including but not limited to removing Capt. Doe from her command at the 50th Precinct and by placing Capt. Doe on Modified Duty. Capt. Doe was also generally treated less well than other employees with respect to her terms, conditions, and benefits of employment.

307. As a direct and proximate result of Defendants' unlawful and discriminatory conduct in violation of the NYC Admin. Code § 8-101, et seq., Plaintiff suffered, and continues to suffer, monetary and/or economic damages, including, but not limited to, loss of past and future income, compensation, and benefits, for which Plaintiff is entitled to an award of monetary damages and other relief.

308. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the NYC Admin. Code § 8-101, et seq., Plaintiff suffered and continues to suffer severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering, for which Plaintiff is entitled to an award of monetary damages and other relief.

309. Plaintiff hereby makes claims against Defendants under all applicable paragraphs of NYC Admin. Code § 8-101, et seq.

310. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the NYC Admin. Code § 8-101, et seq., Plaintiff is entitled to an award of

compensatory damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts.

311. As a direct and proximate result of Defendants' unlawful and discriminatory conduct, in violation of the NYC Admin. Code § 8-101, et seq., Plaintiff is entitled to an award of punitive damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts.

NINTH CAUSE OF ACTION

Retaliation in Violation of N.Y. Executive Law § 290 et. seq. (Against All Defendants)

312. Plaintiff repeats and realleges the allegations contained in each of the foregoing Paragraphs as if fully set forth herein.

313. N.Y. Executive Law § 296(7) provides that "it shall be an unlawful discriminatory practice: "[f]or any person engaged in any activity to which this section applies to retaliate or discriminate against any person because he or she has opposed any practices forbidden under this article."

314. Capt. Doe engaged in protected conduct by, *inter alia*, filing her October 6, 2023, formal complaint of sexual abuse, sexual harassment, stalking, and domestic violence against Marachilian, by participating in IAB inquiries into Marachilian's conduct, and by participating in and cooperating with the criminal prosecution of Marachilian for his December 10, 2022, attack upon her, all acts that Defendants were aware of.

315. In direct response to Capt. Doe's protected activity, Defendants, Defendants NYC and Fikru especially, subjected Capt. Doe to adverse action by, *inter alia*: (a) placing and maintaining Capt. Doe on Modified Duty from August 16, 2023 to January 5, 2026, including by maintaining Capt. Doe on Modified Duty for the entire pendency of Defendant Fikru's pretextual

reopened investigation, where the charged conduct consisted of minor administrative infractions that do not warrant Modified Duty under the NYPD's own Discipline Matrix and that were alleged to have occurred only after Capt. Doe had already been placed on Modified Duty, evidencing a retaliatory search for after-the-fact justification for her continued modification; (b) subjecting Capt. Doe to fabricated and disproportionate disciplinary charges and sanctions; (c) subjecting Capt. Doe to sham investigations into said charges; (d) upon restoration to duty, demoting Capt. Doe from Commanding Officer of the 50th Precinct to Executive Officer of the 10th Precinct, a meaningful demotion in command authority, scope of responsibility, and prestige; and (e) denying Capt. Doe, since her restoration to duty, multiple transfer and assignment opportunities for which she is amply qualified, including positions within the Intelligence Division, the Force Investigation Division, Narcotics, and the Internal Affairs Bureau.

316. Defendant Fikru further subjected Capt. Doe to a hostile, retaliatory, and re-traumatizing interrogation designed to punish her for reporting Marachilian's abuse. The interrogation included prolonged, invasive, and irrelevant questioning about Capt. Doe's sexual history that served no legitimate investigative purpose.

317. Defendants' retaliatory conduct was calculated to demean, humiliate, and discourage Plaintiff from continuing to pursue her claims and would deter a reasonable person from engaging in such protected activities.

318. As a direct and proximate result of Defendants' unlawful and retaliatory conduct, in violation of N.Y. Executive Law § 296(7), Plaintiff suffered, and continues to suffer, monetary and/or economic damages, including, but not limited to, loss of past and future income, compensation and benefits for which Plaintiff is entitled to an award of monetary damages and other relief.

319. As a direct and proximate result of Defendants' unlawful and retaliatory conduct, in violation of N.Y. Executive Law § 296(7), Plaintiff, suffered, and continues to suffer, physical ailments and severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering, for which Plaintiff is entitled to an award of monetary damages and other relief.

320. Plaintiff hereby makes a claim against Defendants under all applicable paragraphs of N.Y. Executive Law § 290 *et. seq.* for retaliation.

321. As a direct and proximate result of Defendants' unlawful and retaliatory conduct, in violation of the N.Y. Exec. Law § 290 *et. seq.*, Plaintiff is entitled to an award of compensatory damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts.

322. As a direct and proximate result of Defendants' unlawful and retaliatory conduct, in violation of the N.Y. Exec. Law § 290 *et. seq.*, Plaintiff is entitled to an award of punitive damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts.

TENTH CAUSE OF ACTION

Retaliation in Violation of the NYC Admin. Code § 8-101, *et. seq.* (Against All Defendants)

323. Plaintiff repeats and realleges the allegations contained in each of the foregoing Paragraphs as if fully set forth herein.

324. the NYC Admin. Code § 8-107(7) states that “[i]t shall be an unlawful discriminatory practice for any person engaged in any activity to which this chapter applies to retaliate or discriminate in any manner against any person because such person has opposed any

practice forbidden under this chapter [or] filed a complaint, testified or assisted in any proceeding under this chapter.

325. Capt. Doe engaged in protected conduct by, *inter alia*, filing her October 6, 2023, formal complaint of sexual abuse, sexual harassment, stalking, and domestic violence against Marachilian, by participating in IAB inquiries into Marachilian's conduct, and by participating in and cooperating with the criminal prosecution of Marachilian for his December 10, 2022, attack upon her, all acts that Defendants were aware of.

326. In direct response to Capt. Doe's protected activity, Defendants, Defendants NYC and Fikru especially, subjected Capt. Doe to adverse action by, *inter alia*: (a) placing and maintaining Capt. Doe on Modified Duty from August 16, 2023 to January 5, 2026, including by maintaining Capt. Doe on Modified Duty for the entire pendency of Defendant Fikru's pretextual reopened investigation, where the charged conduct consisted of minor administrative infractions that do not warrant Modified Duty under the NYPD's own Discipline Matrix and that were alleged to have occurred only after Capt. Doe had already been placed on Modified Duty, evidencing a retaliatory search for after-the-fact justification for her continued modification; (b) subjecting Capt. Doe to fabricated and disproportionate disciplinary charges and sanctions; (c) subjecting Capt. Doe to sham investigations into said charges; (d) upon restoration to duty, demoting Capt. Doe from Commanding Officer of the 50th Precinct to Executive Officer of the 10th Precinct, a meaningful demotion in command authority, scope of responsibility, and prestige; and (e) denying Capt. Doe, since her restoration to duty, multiple transfer and assignment opportunities for which she is amply qualified, including positions within the Intelligence Division, the Force Investigation Division, Narcotics, and the Internal Affairs Bureau.

327. Defendant Fikru further subjected Capt. Doe to a hostile, retaliatory, and re-traumatizing interrogation designed to punish her for reporting Marachilian's abuse. The interrogation included prolonged, invasive, and irrelevant questioning about Capt. Doe's sexual history that served no legitimate investigative purpose.

328. Defendants' retaliatory conduct was calculated to demean, humiliate, and discourage Plaintiff from continuing to pursue her claims and would deter a reasonable person from engaging in such protected activities.

329. As a direct and proximate result of Defendants' unlawful and retaliatory conduct, in violation of the NYC Admin. Code § 8-107(7), Plaintiff suffered, and continues to suffer, monetary and/or economic damages for which Plaintiff is entitled to an award of monetary damages and other relief.

330. As a direct and proximate result of Defendants' unlawful and retaliatory conduct, in violation of the Administrative Code of the City of N.Y. § 8-101 *et. seq.*, Plaintiff, suffered, and continues to suffer, severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering, for which Plaintiff is entitled to an award of monetary damages and other relief.

331. Plaintiff hereby makes a claim against Defendants under all applicable paragraphs of the NYC Admin. Code § 8-101, *et. seq.*

332. As a direct and proximate result of Defendants' unlawful and retaliatory conduct, in violation of the NYC Admin. Code § 8-101, *et seq.*, Plaintiff is entitled to an award of compensatory damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts.

333. As a direct and proximate result of Defendants' unlawful and retaliatory conduct, in violation of the NYC Admin. Code § 8-101, *et seq.*, Plaintiff is entitled to an award of punitive damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts.

ELEVENTH CAUSE OF ACTION

Aiding and Abetting in Violation of N.Y. Executive Law § 290 *et. seq.* (Against the Individual Defendants)

334. Plaintiff repeats and realleges the allegations contained in each of the foregoing Paragraphs as if fully set forth herein.

335. N.Y. Executive Law § 296(6) provides that "[i]t shall be an unlawful discriminatory practice for any person to aid, abet, incite, compel or coerce the doing of any of the acts forbidden under this article, or to attempt to do so."

336. The Individual Defendants engaged in an unlawful discriminatory practice by knowingly and/or recklessly aiding, abetting, compelling, coercing and/or actively participating in the unlawful, discriminatory, and retaliatory conduct as stated herein.

337. As a direct and proximate result of The Individual Defendants' unlawful discrimination and retaliation against Plaintiff, in violation of the N.Y. Executive Law § 296(6), Plaintiff suffered, and continues to suffer, monetary and/or economic damages, including but not limited to, loss of past and future income, compensation and benefits, for which Plaintiff is entitled to an award of monetary damages and other relief.

338. As a direct and proximate result of The Individual Defendants' unlawful discrimination and retaliation against Plaintiff, in violation of the N.Y. Executive Law § 296(6), Plaintiff has suffered, and continues to suffer, severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of

self-esteem and self-confidence, and emotional pain and suffering, for which Plaintiff is entitled to an award of monetary damages and other relief.

339. Plaintiff hereby makes a claim against The Individual Defendants under all applicable paragraphs of N.Y. Exec. Law § 290 *et. seq.*

340. As a direct and proximate result of Defendants' unlawful aiding and abetting discriminatory and retaliatory conduct, in violation of the N.Y. Exec. Law § 290 *et. seq.*, Plaintiff is entitled to an award of compensatory damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts.

341. As a direct and proximate result of Defendants' unlawful aiding and abetting discriminatory and retaliatory conduct, in violation of the N.Y. Exec. Law § 290 *et. seq.*, Plaintiff is entitled to an award of punitive damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts.

TWELFTH CAUSE OF ACTION

Aiding and Abetting Under the NYC Admin. Code § 8-101, *et. seq.*
(Against the Individual Defendants)

342. Plaintiff repeats and realleges the allegations contained in each of the foregoing Paragraphs as if fully set forth herein.

343. The NYC Admin. Code, § 8-107(6) provides that it shall be unlawful discriminatory practice: "For any person to aid, abet, incite, compel or coerce the doing of any of the acts forbidden under this chapter, or attempt to do so."

344. The Individual Defendants engaged in an unlawful discriminatory practice, in violation of NYC Admin. Code § 8-107(6) by knowingly and/or recklessly aiding, abetting, compelling, inciting, coercing and/or actively participating in the unlawful, discriminatory, and retaliatory conduct as stated herein.

345. As a direct and proximate result, Plaintiff suffered, and continues to suffer, monetary and/or economic harm, including, but not limited to, loss of past and future income, compensation and benefits for which Plaintiff is entitled to an award of damages.

346. As a direct and proximate result, Plaintiff suffered, and continues to suffer, severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering for which Plaintiff is entitled to an award of damages.

347. The Individual Defendants' unlawful actions constitute malicious, willful, and wanton violations of the New York City Human Rights Law for which Plaintiff is entitled to an award of punitive damages.

348. Plaintiff hereby makes a claim against The Individual Defendants under all applicable paragraphs of NYC Admin. Code § 8-101, *et seq.*

349. As a direct and proximate result of Defendants' unlawful aiding and abetting discriminatory and retaliatory conduct, in violation of the NYC Admin. Code § 8- 101, *et. seq.*, Plaintiff is entitled to an award of compensatory damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts.

350. As a direct and proximate result of Defendants' unlawful aiding and abetting discriminatory and retaliatory conduct, in violation of the NYC Admin. Code § 8- 101, *et. seq.*, Plaintiff is entitled to an award of punitive damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts.

THIRTEENTH CAUSE OF ACTION

Negligent Training Supervision, and Retention of Marachilian
(Against Defendants NYC, Tisch, Caban, Maddrey, and John and Jane Does 1-100)

351. Plaintiff repeats, re-alleges, and incorporates each and every allegation and statement set forth in each of the previous paragraphs as though fully set forth herein.

352. At all relevant times, Defendants NYC, Tisch, Caban, Maddrey, and/or John and Jane Does 1-100 had a duty to properly screen, train, supervise, retain, and/or discharge NYPD employees, and to identify and remove those employees who are not fit, suitable, properly trained and instructed, constituting a potential menace, hazard, or danger to the public or otherwise, those with vicious propensities and those with emotional, physical, psychological, violent, racist, sexist, otherwise biased and/or physiological traits or characteristics unsuitable, incompatible, or contraindicated for such employment.

353. At all times relevant hereto, Marachilian was an employee of the NYPD.

354. At all times relevant hereto, Marachilian possessed a propensity to engage in conduct constituting sexual harassment, domestic violence, and stalking.

355. On information and belief, Defendants first became aware, or should have first become aware, of Marachilian's propensity to engage in sexual harassment at or around the time of Marachilian's promotion to Lieutenant.

356. Regardless, Defendants incontrovertibly became, or should have reasonably become, aware of Marachilian's propensity to engage in sexual harassment and stalking behavior on May 1, 2020, when Capt. Sharon Balli filed her NYPD EEO complaint against *inter alia* Marachilian.

357. Alternatively, Defendants incontrovertibly became, or should have reasonably become, aware of Marachilian's propensity to engage in sexual harassment and stalking behavior

on August 18, 2020, when Capt. Sharon Balli filed her Notice of Claim against *inter alia* Marachilian.

358. Despite their knowledge of Marachilian's propensities, Defendants NYC, Tisch, Caban, Maddrey, and/or John and Jane Does 1-100, breached their duty of care and negligently failed to train, supervise, or discharge Marachilian so as to prevent him from engaging in stalking behavior and sexual harassment.

359. As a direct and proximate result of the aforementioned Defendants' negligence, Capt. Doe was stalked, sexually harassed, domestically abused, and repeatedly and violently assaulted by Marachilian.

360. As a direct and proximate result of being stalked, sexually harassed, domestically abused, and repeatedly and violently assaulted by Marachilian, Capt. Doe has suffered physical injuries for which Plaintiff is entitled to an award of monetary damages and other relief in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all lower courts.

361. As a direct and proximate result of being stalked, sexually harassed, domestically abused, and repeatedly and violently assaulted by Marachilian, Capt. Doe has suffered and continues to suffer severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering, for which Plaintiff is entitled to an award of monetary damages and other relief in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all lower courts.

362. As Defendants' conduct evinced a reckless disregard for the rights of other, Plaintiff is entitled to an award of punitive damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all lower courts.

FOURTEENTH CAUSE OF ACTION

Negligent Training Supervision, and Retention of Defendant Fikru
(Against Defendants NYC, Tisch, Caban, Maddrey, and John and Jane Does 1-100)

363. Plaintiff repeats, re-alleges, and incorporates each and every allegation and statement set forth in each of the previous paragraphs as though fully set forth herein.

364. At all relevant times, Defendants NYC, Tisch, Caban, Maddrey, and/or John and Jane Does 1-100 had a duty to train, and/or screen applicants for hire, retention, and/or discharge with the NYPD those employees who are not fit, suitable, properly trained and instructed, constituting a potential menace, hazard, or danger to the public or otherwise, those with vicious propensities and those with emotional, physical, psychological, violent, racist, sexist, otherwise biased and/or physiological traits or characteristics unsuitable, incompatible, or contraindicated for such employment.

365. At all times relevant hereto, Defendant Fikru was an employee of the NYPD.

366. At all times relevant hereto, Defendant Fikru possessed a propensity to engage in conduct constituting sexual harassment and unlawful retaliation in the form of sham investigations and fabricated disciplinary charges within the scope of his employment with IAB.

367. On information and belief, at all times relevant hereto, Defendants were aware of Defendant Fikru's propensity to engage in conduct constituting sexual harassment and unlawful retaliation in the form of sham investigations and fabricated disciplinary charges within the scope of his employment with IAB.

368. Despite their knowledge of Defendant Fikru's propensities, Defendants NYC, Tisch, Caban, Maddrey, and/or John and Jane Does 1-100, breached their duty of care and negligently failed to train, supervise, or discharge Defendant Fikru so as to prevent him from engaging in conduct constituting sexual harassment and unlawful retaliation in the form of sham investigations and fabricated disciplinary charges within the scope of his employment with IAB.

369. As a direct and proximate result of the aforementioned Defendants' negligence, Capt. Doe was subjected to sexual harassment and retaliation in the manner alleged *supra* by Defendant Fikru.

370. As a direct and proximate result of being sexually harassed and retaliated against by Defendant Fikru, Capt. Doe has suffered and continues to suffer severe mental anguish and emotional distress, including but not limited to depression, humiliation, embarrassment, stress and anxiety, loss of self-esteem and self-confidence, and emotional pain and suffering, for which Plaintiff is entitled to an award of monetary damages and other relief in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all lower courts.

371. As Defendants' conduct evinced a reckless disregard for the rights of other, Capt. Doe is entitled to an award of punitive damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all lower courts.

JURY DEMAND

372. Plaintiff demands a trial by jury on all issues of fact and damages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that the Court enters judgment in her favor and against Defendants, containing the following relief:

A. A declaratory judgment that the actions, conduct and practices of Defendants complained of herein violate the laws of the State of New York and the laws of the City of New York;

B. An injunction and order permanently restraining Defendants from engaging in such unlawful conduct;

C. An award of damages in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts, plus pre- and post-judgment interest, to compensate Plaintiff for all monetary and/or economic damages, including but not limited to, the loss of past and future income, wages, compensation, seniority, and other benefits of employment and all non-monetary and/or compensatory damages, including but not limited to, compensation for severe mental anguish and emotional distress, humiliation, embarrassment, stress and anxiety, loss of self-esteem, self-confidence and personal dignity, emotional pain and suffering and other physical and mental injuries;

D. An award of damages for any and all other monetary and/or non-monetary losses suffered by Plaintiff in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts, plus pre- and post-judgment interest;

E. An award of punitive damages, in an amount to be determined at trial, but in no event less than an amount which exceeds the jurisdiction of all other lower courts, plus pre- and post-judgment interest;

F. An award of costs that Plaintiff has incurred in this action, as well as Plaintiff's reasonable attorneys' fees to the fullest extent permitted by law; and

G. Such other and further relief as the Court may deem just and proper.

Dated: July 10, 2026
New York, NY

Respectfully submitted,

/s/ Derek S. Sells

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ATTORNEY VERIFICATION

I, Derek S. Sells, Esq., pursuant to CPLR 2106, affirm under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the following is true, and I understand that this document may be filed in an action or proceeding in a court of law:

a. I am a member of THE COCHRAN FIRM, attorneys for the plaintiff. I have read the foregoing **VERIFIED COMPLAINT** and know the contents thereof. The same are true to my knowledge, except those matters therein which are stated to be alleged upon information and belief, and as to those matters, I believe them to be true.

b. My belief, as to those matters therein not stated upon knowledge, is based upon the following: investigation, interviews with my client, records, reports, documents, correspondence, data, memoranda, etc., contained in the litigation file.

c. The reason I make this verification instead of plaintiff is that the plaintiff resides out of the County of New York, wherein I maintain my offices.

Dated: July 10, 2026
New York, NY

Respectfully submitted,

/s/ Derek S. Sells
Derek S. Sells, Esq.