

**Eric Sanders**

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**Subject:** Activity in Case 1:10-cv-02727-JBW -RLM Schultz v. New York City Police Department et al Answer to Amended Complaint

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**U.S. District Court**

**Eastern District of New York**

**Notice of Electronic Filing**

The following transaction was entered by Zinaman, Jamie on 6/8/2011 at 12:16 PM EDT and filed on 6/8/2011

**Case Name:** Schultz v. New York City Police Department et al

**Case Number:** 1:10-cv-02727-JBW -RLM

**Filer:** City of New York  
James Briones  
Michael Blake  
Christopher Lopez  
Armando DeLeon

**Document Number:** 36

**Docket Text:**

***Final ANSWER to [22] Amended Complaint /Second Amended Complaint by Michael Blake, James Briones, City of New York, Armando DeLeon, Christopher Lopez. (Zinaman, Jamie)***

**1:10-cv-02727-JBW -RLM Notice has been electronically mailed to:**

Eric Sanders [esanders@thesandersfirmpc.com](mailto:esanders@thesandersfirmpc.com)

Jamie M. Zinaman [jzinaman@law.nyc.gov](mailto:jzinaman@law.nyc.gov)

Phyllis Gail Calistro [pcalistr@law.nyc.gov](mailto:pcalistr@law.nyc.gov)

**1:10-cv-02727-JBW -RLM Notice will not be electronically mailed to:**

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X  
VERONICA SCHULTZ,

Plaintiff,

-against-

THE CITY OF NEW YORK, et al.

Defendants.  
----- X

**ANSWER TO  
SECOND AMENDED  
COMPLAINT**

Case No.: 10 Civ. 2727

Defendants City of New York, Police Commissioner Raymond Kelly and Sergeant James Briones, Officer Christopher Lopez, Deputy Inspector Armando DeLeon and Chief Michael Blake,<sup>1</sup> by their attorney, Michael A. Cardozo, Corporation Counsel of the City of New York, for their Answer to the Complaint, respectfully allege as follows:

1. Deny the allegations set forth in paragraph “1” of the complaint, but admit that plaintiff purports to proceed as set forth therein.
2. Deny the allegations set forth in paragraph “2” of the complaint, except admit that plaintiff purports to proceed as set forth therein.
3. Deny the allegations set forth in paragraph “3” of the complaint, except admit that plaintiff purports to proceed as set forth therein.
4. Deny the allegations set forth in paragraph “4” of the complaint.
5. Admit the allegations set forth in paragraph “5” of the complaint.
6. Deny the allegations set forth in paragraph “6” of the complaint, except admit that plaintiff purports to have sought assistance with the EEOC on August 14, 2009.

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<sup>1</sup> The Answer filed on June 6, 2011 erroneously omitted the names of Christopher Lopez and Armando DeLeon. This Answer corrects that omission.

7. Deny the allegations set forth in paragraph “7” of the complaint, except admit that plaintiff was issued a right to sue letter dated May 3, 2010.

8. Deny the allegations in paragraph “8” of the complaint except admit that plaintiff purports to reside in Suffolk County and admit that plaintiff is an employee of the NYPD.

9. Deny the allegations set forth in paragraph “9” of the complaint except admit that the City of New York is a municipal corporation that maintains a police department and respectfully refer the Court to the New York City Charter and Administrative Code for a full recitation of the relationship between the City of New York and the New York City Police Department.

10. Deny the allegations set forth in paragraph “10” of the complaint except admit that the defendants are employees of the NYPD.

11. Deny the allegations set forth in paragraph “11” of the complaint, except admit that plaintiff purports to be African American.

12. Deny the allegations set forth in paragraph “12” of the complaint.

13. Deny the allegations set forth in paragraph “13” of the complaint.

14. Deny the allegations set forth in paragraph “14” of the complaint.

15. Deny the allegations set forth in paragraph “15” of the complaint.

16. Deny the allegations set forth in paragraph “16” of the complaint, except admit that plaintiff was assigned to the 103 precinct.

17. Deny the allegations set forth in paragraph “17” of the complaint.

18. Deny the allegations set forth in paragraph “18” of the complaint.

19. Deny the allegations set forth in paragraph “19” of the complaint.

20. Deny the allegations set forth in paragraph "20" of the complaint.

21. Deny the allegations set forth in paragraph "21" of the complaint.

22. Deny the allegations set forth in paragraph "22" of the complaint.

23. Deny the allegations set forth in paragraph "23" of the complaint.

24. Deny the allegations set forth in paragraph "24" of the complaint.

25. Deny the allegations set forth in paragraph "25" of the complaint.

26. Deny the allegations set forth in paragraph "26" of the complaint.

27. Deny the allegations set forth in paragraph "27" of the complaint, except admit that James Briones was assigned to the precinct in June 2007.

28. Deny the allegations set forth in paragraph "28" of the complaint, except admit that James Briones was a sergeant in the 103<sup>rd</sup> precinct.

29. Deny the allegations set forth in paragraph "29" of the complaint.

30. Deny the allegations set forth in paragraph "30" of the complaint.

31. Deny the allegations set forth in paragraph "31" of the complaint.

32. Deny the allegations set forth in paragraph "32" of the complaint.

33. Deny the allegations set forth in paragraph "33" of the complaint.

34. Deny the allegations set forth in paragraph "34" of the complaint.

35. Deny the allegations set forth in paragraph "35" of the complaint.

36. Deny the allegations set forth in paragraph "36" of the complaint.

37. Deny the allegations set forth in paragraph "37" of the complaint.

38. Admit the allegations set forth in paragraph "38" of the complaint.

39. Deny the allegations set forth in paragraph "39" of the complaint.

40. Deny the allegations set forth in paragraph "40" of the complaint.

41. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph "41" of the complaint.

42. Deny the allegations set forth in paragraph "42" of the complaint.

43. Deny the allegations set forth in paragraph "43" of the complaint.

44. Deny the allegations set forth in paragraph "44" of the complaint.

45. Deny the allegations set forth in paragraph "45" of the complaint.

46. Deny the allegations set forth in paragraph "46" of the complaint.

47. Deny the allegations set forth in paragraph "47" of the complaint.

48. Deny the allegations set forth in paragraph "48" of the complaint.

49. Admit the allegations set forth in paragraph "49" of the complaint.

50. Deny the allegations set forth in paragraph "50" of the complaint, except admit that plaintiff did cause her pants to come down while performing at the Talent Show.

51. Deny the allegations set forth in paragraph "51" of the complaint.??????????

52. Deny the allegations set forth in paragraph "52" of the complaint.

53. Deny the allegations set forth in paragraph "53" of the complaint.

54. Deny the allegations set forth in paragraph "54" of the complaint.

55. Deny the allegations set forth in paragraph "55" of the complaint.

56. Deny the allegations set forth in paragraph "56" of the complaint.

57. Deny the allegations set forth in paragraph "57" of the complaint.

58. Deny the allegations set forth in paragraph "58" of the complaint.

59. Deny the allegations set forth in paragraph "59" of the complaint.

60. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph "60" of the complaint.

61. Deny the allegations set forth in paragraph "61" of the complaint.

62. Deny the allegations set forth in paragraph "62" of the complaint.

63. Deny the allegations set forth in paragraph "63" of the complaint.

64. Deny the allegations set forth in paragraph "64" of the complaint.

65. Deny the allegations set forth in paragraph "65" of the complaint.

66. Deny the allegations set forth in paragraph "66" of the complaint.

67. Deny the allegations set forth in paragraph "67" of the complaint.

68. Deny the allegations set forth in paragraph "68" of the complaint.

69. Deny the allegations set forth in paragraph "69" of the complaint, except admit that plaintiff did use a Department vehicle without permission and that plaintiff received a command discipline on or about February 19, 2008.

70. Deny the allegations set forth in paragraph "70" of the complaint.

71. Deny the allegations set forth in paragraph "71" of the complaint.

72. Deny the allegations set forth in paragraph "72" of the complaint.

73. Deny the allegations set forth in paragraph "73" of the complaint.

74. Deny the allegations set forth in paragraph "74" of the complaint.

75. Deny the allegations set forth in paragraph "75" of the complaint.

76. Deny the allegations set forth in paragraph "76" of the complaint.

77. Deny the allegations set forth in paragraph "77" of the complaint.

78. Deny the allegations set forth in paragraph "78" of the complaint.

79. Deny the allegations set forth in paragraph "79" of the complaint.

80. Deny the allegations set forth in paragraph "80" of the complaint.

81. Deny the allegations set forth in paragraph "81" of the complaint.

82. Deny knowledge and information sufficient to respond to the allegations set forth in paragraph "82" of the complaint.

83. Deny the allegations set forth in paragraph "83" of the complaint.

84. Deny the allegations set forth in paragraph "84" of the complaint.

85. Deny the allegations set forth in paragraph "85" of the complaint.

86. Deny the allegations set forth in paragraph "86" of the complaint.

87. Deny the allegations set forth in paragraph "87" of the complaint.

88. Deny the allegations set forth in paragraph "88" of the complaint.

89. Deny the allegations set forth in paragraph "89" of the complaint.

90. Deny the allegations set forth in paragraph "90" of the complaint.

91. Deny the allegations set forth in paragraph "91" of the complaint.

92. Deny the allegations set forth in paragraph "92" of the complaint, except admit that members of the 103<sup>rd</sup> precinct watched a DVD of the Talent Show on or about May 14, 2008.

93. Deny the allegations set forth in paragraph "93" of the complaint.

94. Deny the allegations set forth in paragraph "94" of the complaint.

95. Deny the allegations set forth in paragraph "95" of the complaint.

96. Deny the allegations set forth in paragraph "96" of the complaint.

97. Deny the allegations set forth in paragraph "97" of the complaint.

98. Deny the allegations set forth in paragraph "98" of the complaint.

99. Deny the allegations set forth in paragraph "99" of the complaint.



100. Deny the allegations set forth in paragraph "100" of the complaint.

101. Deny the allegations set forth in paragraph "101" of the complaint, except admit that in May 2008, plaintiff was assigned to a post near the Truancy Center at Jamaica High School.

102. Deny the allegations set forth in paragraph "102" of the complaint.

103. Deny the allegations set forth in paragraph "103" of the complaint.

104. Deny the allegations set forth in paragraph "104" of the complaint.

105. Deny the allegations set forth in paragraph "105" of the complaint.

106. Deny the allegations set forth in paragraph "106" of the complaint.

107. Deny the allegations set forth in paragraph "107" of the complaint.

108. Deny the allegations set forth in paragraph "108" of the complaint.

109. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph "109" of the complaint.

110. Deny knowledge and information sufficient to respond to the allegations set forth in paragraph "110" of the complaint.

111. Deny knowledge and information sufficient to respond to the allegations set forth in paragraph "111" of the complaint

112. Deny the allegations set forth in paragraph "112" of the complaint.

113. Deny the allegations set forth in paragraph "113" of the complaint, except admit that plaintiff was instructed that she could not use a van for transport on or about July 24, 2008.

114. Deny knowledge and information sufficient to respond to allegations set forth in paragraph "114" of the complaint.

115. Deny the allegations set forth in paragraph "115" of the complaint.

116. Deny the allegations set forth in paragraph "116" of the complaint.

117. Deny the allegations set forth in paragraph "117" of the complaint,

except admit that plaintiff was ordered to return to the precinct on or about August 21, 2008.

118. Deny the allegations set forth in paragraph "118" of the complaint.

119. Deny the allegations set forth in paragraph "119" of the complaint.

120. Deny the allegations set forth in paragraph "120" of the complaint.

121. Deny the allegations set forth in paragraph "121" of the complaint.

122. Deny the allegations set forth in paragraph "122" of the complaint.

123. Deny the allegations set forth in paragraph "123" of the complaint.

124. Deny the allegations set forth in paragraph "124" of the complaint.

125. Deny the allegations set forth in paragraph "125" of the complaint.

126. Deny the allegations set forth in paragraph "126" of the complaint.

127. Deny the allegations set forth in paragraph "127" of the complaint.

128. Deny the allegations set forth in paragraph "128" of the complaint.

129. Deny the allegations set forth in paragraph "129" of the complaint.

130. Deny the allegations set forth in paragraph "130" of the complaint.

131. Deny the allegations set forth in paragraph "131" of the complaint.

132. Deny the allegations set forth in paragraph "132" of the complaint.

133. Deny the allegations set forth in paragraph "133" of the complaint.

134. Deny the allegations set forth in paragraph "134" of the complaint.

135. Deny the allegations set forth in paragraph "135" of the complaint.

136. Deny the allegations set forth in paragraph "136" of the complaint.

137. Deny the allegations set forth in paragraph “137” of the complaint, except admit that plaintiff contacted NYPD’s Office of Equal Employment Opportunity on or about October 8, 2008.

138. Deny the allegations set forth in paragraph “138” of the complaint.

139. Deny the allegations set forth in paragraph “139” of the complaint.

140. Deny the allegations set forth in paragraph “140” of the complaint.

141. Deny the allegations set forth in paragraph “141” of the complaint.

142. Deny the allegations set forth in paragraph “142” of the complaint.

143. Deny the allegations set forth in paragraph “143” of the complaint.

144. Deny the allegations set forth in paragraph “144” of the complaint.

145. Deny the allegations set forth in paragraph “145” of the complaint.

146. Deny the allegations set forth in paragraph “146” of the complaint.

147. Deny the allegations set forth in paragraph “147” of the complaint.

148. Deny the allegations set forth in paragraph “148” of the complaint.

149. Deny the allegations set forth in paragraph “149” of the complaint.

150. Deny the allegations set forth in paragraph “150” of the complaint.

151. Deny the allegations set forth in paragraph “151” of the complaint.

152. Deny the allegations set forth in paragraph “152” of the complaint.

153. Deny knowledge and information sufficient to respond to allegations set forth in paragraph “153” of the complaint.

154. Deny the allegations set forth in paragraph “154” of the complaint.

155. Deny the allegations set forth in paragraph “155” of the complaint.

156. Deny the allegations set forth in paragraph "156" of the complaint, except admit that plaintiff was instructed to correct arrest reports.

157. Deny the allegations set forth in paragraph "153" of the complaint.

158. Deny the allegations set forth in paragraph "154" of the complaint.

159. Deny the allegations set forth in paragraph "155" of the complaint, except admit that plaintiff would not receive night differential on or about March 11, 2009.

160. Deny the allegations set forth in paragraph "160" of the complaint, except admit that the decision to not provide night differential was upheld.

161. Deny the allegations set forth in paragraph "161" of the complaint.

162. Deny the allegations set forth in paragraph "162" of the complaint.

163. Deny the allegations set forth in paragraph "163" of the complaint.

164. Deny the allegations set forth in paragraph "164" of the complaint.

165. Deny the allegations set forth in paragraph "165" of the complaint.

166. Deny the allegations set forth in paragraph "166" of the complaint.

167. Deny the allegations set forth in paragraph "167" of the complaint.

168. Deny the allegations set forth in paragraph "168" of the complaint.

169. Deny the allegations set forth in paragraph "169" of the complaint.

170. Deny the allegations set forth in paragraph "170" of the complaint, except admit that plaintiff was not permitted to use a van to transport youths to the Empire State Building.

171. Deny the allegations set forth in paragraph "171" of the complaint.

172. Deny the allegations set forth in paragraph "172" of the complaint.

173. Deny the allegations set forth in paragraph "173" of the complaint.

174. Deny the allegations set forth in paragraph "174" of the complaint, except admit that plaintiff returned to patrol in or about April 2009.

175. Deny the allegations set forth in paragraph "175" of the complaint, except admit that on or about April 30, 2009, plaintiff was reassigned to patrol.

176. Deny knowledge and information sufficient to respond to allegations set forth in paragraph "176" of the complaint

177. Deny the allegations set forth in paragraph "177" of the complaint.

178. Deny the allegations set forth in paragraph "178" of the complaint.

179. Deny the allegations set forth in paragraph "179" of the complaint.

180. Deny the allegations set forth in paragraph "180" of the complaint.

181. Deny the allegations set forth in paragraph "181" of the complaint.

182. Deny the allegations set forth in paragraph "173" of the complaint, except admit that after a full investigation, NYPD OEEO found that plaintiff's allegations were not substantiated.

183. Deny the allegations set forth in paragraph "183" of the complaint.

184. Deny the allegations set forth in paragraph "184" of the complaint.

185. Deny the allegations set forth in paragraph "185" of the complaint.

186. Deny the allegations set forth in paragraph "186" of the complaint.

187. In response to the allegations set forth in paragraph "187" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "186" inclusive of their answer, as is fully set forth herein.

188. Deny the allegations set forth in paragraph "188" of the complaint.

189. Deny the allegations set forth in paragraph "189" of the complaint.

190. Deny the allegations set forth in paragraph "190" of the complaint.

191. Deny the allegations set forth in paragraph "191" of the complaint.

192. Deny the allegations set forth in paragraph "192" of the complaint.

193. Deny the allegations set forth in paragraph "193" of the complaint.

194. Deny the allegations set forth in paragraph "194" of the complaint.

195. In response to the allegations set forth in paragraph "195" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "194" inclusive of their answer, as is fully set forth herein.

196. Deny the allegations set forth in paragraph "196" of the complaint.

197. Deny the allegations set forth in paragraph "197" of the complaint.

198. In response to the allegations set forth in paragraph "198" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "197" inclusive of their answer, as is fully set forth herein.

199. Deny the allegations set forth in paragraph "199" of the complaint.

200. Deny the allegations set forth in paragraph "200" of the complaint.

201. In response to the allegations set forth in paragraph "201" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "200" inclusive of their answer, as is fully set forth herein.

202. Deny the allegations set forth in paragraph "202" of the complaint.

203. Deny the allegations set forth in paragraph "203" of the complaint.

204. Deny the allegations set forth in paragraph "204" of the complaint.

205. Deny the allegations set forth in paragraph "205" of the complaint.

206. In response to the allegations set forth in paragraph "206" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "205" inclusive of their answer, as is fully set forth herein.

207. Deny the allegations set forth in paragraph "207" of the complaint.

208. Deny the allegations set forth in paragraph "208" of the complaint.

209. Deny the allegations set forth in paragraph "209" of the complaint.

210. Deny the allegations set forth in paragraph "210" of the complaint.

211. In response to the allegations set forth in paragraph "211" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "201" inclusive of their answer, as is fully set forth herein.

212. Deny the allegations set forth in paragraph "212" of the complaint.

213. Deny the allegations set forth in paragraph "213" of the complaint.

214. Deny the allegations set forth in paragraph "214" of the complaint.

215. Deny the allegations set forth in paragraph "215" of the complaint.

216. In response to the allegations set forth in paragraph "216" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "215" inclusive of their answer, as is fully set forth herein.

217. Deny the allegations set forth in paragraph "217" of the complaint.

218. Deny the allegations set forth in paragraph "218" of the complaint.

219. Deny the allegations set forth in paragraph "219" of the complaint.

220. Deny the allegations set forth in paragraph "220" of the complaint.

221. Deny the allegations set forth in paragraph "221" of the complaint.

222. In response to the allegations set forth in paragraph "222" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "221" inclusive of their answer, as is fully set forth herein.

223. Deny the allegations set forth in paragraph "223" of the complaint.

224. Deny the allegations set forth in paragraph "224" of the complaint.

225. Deny the allegations set forth in paragraph "225" of the complaint.

226. Deny the allegations set forth in paragraph "226" of the complaint.

227. Deny the allegations set forth in paragraph "227" of the complaint.

228. In response to the allegations set forth in paragraph "228" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "227" inclusive of their answer, as is fully set forth herein.

229. Deny the allegations set forth in paragraph "229" of the complaint.

230. Deny the allegations set forth in paragraph "230" of the complaint.

231. Deny the allegations set forth in paragraph "231" of the complaint.

232. Deny the allegations set forth in paragraph "232" of the complaint.

233. Deny the allegations set forth in paragraph "233" of the complaint.

234. In response to the allegations set forth in paragraph "234" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "233" inclusive of their answer, as is fully set forth herein.

235. Deny the allegations set forth in paragraph "235" of the complaint.

236. Deny the allegations set forth in paragraph "236" of the complaint.

237. Deny the allegations set forth in paragraph "237" of the complaint.

238. Deny the allegations set forth in paragraph "238" of the complaint.



239. Deny the allegations set forth in paragraph "239" of the complaint.

240. In response to the allegations set forth in paragraph "240" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "239" inclusive of their answer, as is fully set forth herein.

241. Deny the allegations set forth in paragraph "241" of the complaint.

242. Deny the allegations set forth in paragraph "242" of the complaint.

243. Deny the allegations set forth in paragraph "243" of the complaint.

244. Deny the allegations set forth in paragraph "244" of the complaint.

245. Deny the allegations set forth in paragraph "245" of the complaint.

246. In response to the allegations set forth in paragraph "246" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "245" inclusive of their answer, as is fully set forth herein.

247. Deny the allegations set forth in paragraph "247" of the complaint.

248. Deny the allegations set forth in paragraph "248" of the complaint.

249. Deny the allegations set forth in paragraph "249" of the complaint.

250. Deny the allegations set forth in paragraph "250" of the complaint.

251. Deny the allegations set forth in paragraph "251" of the complaint.

252. In response to the allegations set forth in paragraph "252" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "251" inclusive of their answer, as is fully set forth herein.

253. Deny the allegations set forth in paragraph "253" of the complaint.

254. Deny the allegations set forth in paragraph "254" of the complaint.

255. Deny the allegations set forth in paragraph "255" of the complaint.

256. Deny the allegations set forth in paragraph "256" of the complaint.

257. In response to the allegations set forth in paragraph "257" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "256" inclusive of their answer, as is fully set forth herein.

258. Deny the allegations set forth in paragraph "258" of the complaint.

259. Deny the allegations set forth in paragraph "259" of the complaint.

260. Deny the allegations set forth in paragraph "260" of the complaint.

261. Deny the allegations set forth in paragraph "261" of the complaint.

262. In response to the allegations set forth in paragraph "262" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "261" inclusive of their answer, as is fully set forth herein.

263. Deny the allegations set forth in paragraph "263" of the complaint.

264. Deny the allegations set forth in paragraph "264" of the complaint.

265. Deny the allegations set forth in paragraph "265" of the complaint.

266. Deny the allegations set forth in paragraph "266" of the complaint.

267. In response to the allegations set forth in paragraph "267" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "266" inclusive of their answer, as is fully set forth herein.

268. Deny the allegations set forth in paragraph "268" of the complaint.

269. Deny the allegations set forth in paragraph "269" of the complaint.

270. Deny the allegations set forth in paragraph "270" of the complaint.

271. Deny the allegations set forth in paragraph "271" of the complaint.

272. Deny the allegations set forth in paragraph "272" of the complaint.

273. In response to the allegations set forth in paragraph "273" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "274" inclusive of their answer, as is fully set forth herein.

274. Deny the allegations set forth in paragraph "274" of the complaint.

275. Deny the allegations set forth in paragraph "275" of the complaint.

276. Deny the allegations set forth in paragraph "276" of the complaint.

277. Deny the allegations set forth in paragraph "277" of the complaint.

278. Deny the allegations set forth in paragraph "278" of the complaint.

279. In response to the allegations set forth in paragraph "279" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "278" inclusive of their answer, as is fully set forth herein.

280. Deny the allegations set forth in paragraph "280" of the complaint.

281. Deny the allegations set forth in paragraph "281" of the complaint.

282. Deny the allegations set forth in paragraph "282" of the complaint.

283. Deny the allegations set forth in paragraph "283" of the complaint.

284. In response to the allegations set forth in paragraph "284" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "283" inclusive of their answer, as is fully set forth herein.

285. Deny the allegations set forth in paragraph "285" of the complaint.

286. Deny the allegations set forth in paragraph "286" of the complaint.

287. Deny the allegations set forth in paragraph "287" of the complaint.

288. Deny the allegations set forth in paragraph "288" of the complaint.

289. In response to the allegations set forth in paragraph "289" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "288" inclusive of their answer, as is fully set forth herein.

290. Deny the allegations set forth in paragraph "290" of the complaint.

291. Deny the allegations set forth in paragraph "291" of the complaint.

292. Deny the allegations set forth in paragraph "292" of the complaint.

293. Deny the allegations set forth in paragraph "293" of the complaint.

294. In response to the allegations set forth in paragraph "294" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "293" inclusive of their answer, as is fully set forth herein.

295. Deny the allegations set forth in paragraph "295" of the complaint.

296. Deny the allegations set forth in paragraph "296" of the complaint.

297. Deny the allegations set forth in paragraph "297" of the complaint.

298. Deny the allegations set forth in paragraph "298" of the complaint.

299. Deny the allegations set forth in paragraph "299" of the complaint.

300. In response to the allegations set forth in paragraph "300" of the complaint, defendants repeat and reallege the responses set forth in paragraphs "1" to "299" inclusive of their answer, as is fully set forth herein.

301. Deny the allegations set forth in paragraph "301" of the complaint.

302. Deny the allegations set forth in paragraph "302" of the complaint.

303. Deny the allegations set forth in paragraph "303" of the complaint.

304. Deny the allegations set forth in paragraph "304" of the complaint.

305. Deny the allegations set forth in paragraph "305" of the complaint.

306. Deny the allegations set forth in paragraph “306” of the complaint, except admit that plaintiff requests a jury trial.

**FOR A FIRST DEFENSE:**

307. The individually named defendants are immune from liability under the doctrine of qualified immunity.

**FOR A SECOND DEFENSE:**

308. Defendants have not violated any rights, privileges or immunities under the Constitution or laws of the United States or the State of New York or any political subdivision thereof.

**FOR A THIRD DEFENSE:**

309. At all times relevant to the acts alleged in the complaint, defendants acted reasonably, properly, lawfully and in good faith.

**FOR A FOURTH DEFENSE:**

310. Plaintiff has failed to comply with New York General Municipal Law 50-e and no notice of claim has been filed.

**FOR A FIFTH DEFENSE:**

311. Any injuries alleged in the complaint were caused in whole or in part by plaintiff's culpable or negligent conduct.

**FOR A SIXTH DEFENSE:**

312. This action is barred, at least in part, by the applicable statute of limitations.

**FOR A SEVENTH DEFENSE:**

313. This action may be barred in whole or in part, by the doctrines of res judicata and/or collateral estoppel.

**FOR AN EIGHTH DEFENSE:**

314. Defendant City of New York cannot be liable for punitive damages.

**FOR A NINTH DEFENSE:**

315. The New York City Police Department is not a suable entity.

**FOR A TENTH DEFENSE:**

316. The individually named defendants are not subject to suit under Title VII.

**FOR AN ELEVENTH DEFENSE:**

317. Defendants exercised reasonable care to prevent and promptly eliminate any sexually harassing behavior.

**FOR A TWELFTH DEFENSE:**

318. Plaintiff unreasonably failed to take advantage of the preventive and corrective opportunities provided by defendants or to otherwise avoid harm.

**FOR A THIRTEENTH DEFENSE:**

**WHEREFORE**, defendants request judgment dismissing the complaint and denying all relief requested therein, together with such other and further relief as the Court deems just and proper.

Dated: New York, New York  
June 7, 2011

MICHAEL A. CARDOZO  
Corporation Counsel of the  
City of New York  
Attorney for City Defendants  
100 Church Street, Room 2-111  
New York, New York 10007  
(212) 788-0887

By: \_\_\_\_\_ /s  
Jamie Zinaman  
Assistant Corporation Counsel