

STATE OF NEW YORK
COURT OF CLAIMS

KIMBERLY SNICKLES,
JAMIE L. CAMPBELL, AND
ANNALISE C. FRELING.

Claimants

vs.

NOTICE OF CLAIM

NEW YORK STATE ASSEMBLYMAN
DENNIS GABRYSZAK
THE NEW YORK STATE ASSEMBLY
THE STATE OF NEW YORK,

Respondents

TO THE CLERK OF THE COURT OF CLAIMS

TO THE ATTORNEY GENERAL OF THE STATE OF NEW YORK

Claimants, Kimberly Snickles, Jamie L. Campbell and Annalise C. Freling, pursuant to the Court of Claims Act §10 and §11; hereby provide notification to the Clerk of the Court of Claims and the Attorney General of the State of New York that they intend to make claims against New York State Assemblyman Dennis Gabryszak, the New York State Assembly and the State of New York and allege as follows:

NAME AND POST OFFICE ADDRESS OF CLAIMANTS:

KIMBERLY SNICKLES
JAMIE L. CAMPBELL
ANNALISE C. FRELING
c/o Johnny G. Destino, Esq.
1520 Pine Avenue
Niagara Falls NY 14301

NAME AND POST OFFICE ADDRESS OF CLAIMANTS' ATTORNEY:

Johnny G. Destino, Esq.
1520 Pine Avenue
Niagara Falls NY 14301

NATURE OF CLAIM:

Claimants were subjected to a hostile and offensive work environment by their employers, New York State Assemblyman Dennis Gabryszak, the New York State Assembly and the State of New York. The behavior was so severe, persistent and pervasive that the claimants had no alternative other than to leave their employment. Due to their constructive discharge, claimants lost their wages, health insurance and other benefits. In addition, said claimants now suffer from emotional distress, mental anguish and stress as a result of this matter. Assemblyman Gabryszak's conduct rose to the level of sexual harassment in violation of the claimant's Federal rights under Title VII and numerous work place rights, under New York State law.

DETAILS OF CLAIM:

Kimberly Snickles began her employment in the office of New York State Assemblyman Dennis Gabryszak on May 20, 2013 as his Director of Communications. From her first day of employment until she was constructively discharged on October 15, 2013, she was subjected to a continuous pattern of sexual harassment by Assemblyman Gabryszak. She reported the inappropriate behavior to her immediate supervisor Adam Locher, chief of staff. Rather than report the claimant's concerns to the Assemblyman, Mr. Locher told the claimant that "he didn't want to be a part of a sexual harassment complaint" and that "she should talk to the Assemblyman herself." She then made an appointment to meet with the Assemblyman the next day to discuss his behavior. Unfortunately, it appeared that Mr. Locher tipped off the Assemblyman as to the topic for the meeting and he never showed up to meet with the claimant.

Jamie L. Campbell began her employment in the office of New York State Assemblyman Dennis Gabryszak in June, 2010 as his Legislative Director. From her first day of employment, until she was constructively discharged on October 25, 2013, she was subjected to a continuous pattern of sexual harassment by Assemblyman Gabryszak. She discussed the inappropriate behavior to her immediate supervisor, Adam Locher, chief of staff. Mr. Locher often commented to her that he, "worried about the things that Dennis would do or say". Unfortunately, he took no action to alert the Assemblyman of the claimant's concerns.

Annalise C. Freling began her employment in the office of New York State Assemblyman Dennis Gabryszak's in June, 2011 as his Director of Communications. From her first day of employment until she was constructively discharged in March, 2013, she was subjected to a continuous pattern of sexual harassment by Assemblyman Gabryszak. She reported the inappropriate behavior to her immediate

supervisor, Adam Locher, who failed to take any action. Upon hearing about the conduct, Mr. Locher told the claimant that, "Dennis could get carried away from time to time and to ignore him." He went on to tell the claimant that, "if she didn't like it (Gabryszak's behavior), that she could always look for another job."

That upon information and belief, a minimum of two additional former employees of Assemblyman Gabryszak will be coming forward in the near future and will be bringing allegations similar to those of the three claimants herein.

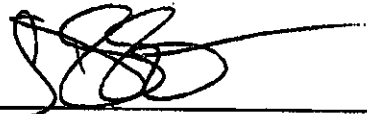
ITEMS OF DAMAGES:

Claimant's damages include, but are not limited to, loss of current and future income and loss of health insurance and other benefits due to their constructive discharge. In addition, they have lost potential future employment opportunities with the State of New York due to the manner in which they were forced to leave their employment with the New York State Assembly. Finally, and most importantly, all three claimants have suffered emotional distress and mental anguish and stress due to the outrageous and inappropriate behavior of New York State Assemblyman Dennis Gabryszak. By reason of the foregoing, claimants have been damaged and demand remuneration, monetary compensation and judgment against the Respondents herein, New York State Assemblyman Dennis Gabryszak, the New York State Assembly and the State of New York.

Dated: Niagara Falls, New York
December 19, 2013.

Johnny G. Destino, Esq.
Attorney for Claimants

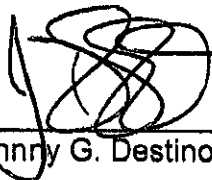
By: _____


Johnny G. Destino, Esq.
1520 Pine Avenue
Niagara Falls NY 14301
(716) 940-4543

ATTORNEY'S VERIFICATION

The undersigned, an attorney admitted to practice in the Courts of New York State, hereby affirms under the penalty of perjury that deponent is attorney for the claimants, Kimberly Snickles, Jamie L. Campbell and Annalise C. Freling; that deponent has read the foregoing and knows the contents thereof; that the same is true upon information and belief, and that deponent believes it to be true. Deponent further states that the reason that this verification is made by deponent and not by claimants, is because the claimants do not reside in the County of Niagara, where the undersigned has an office. In addition, claimants have not signed this document so that they can remain anonymous at this time for their own personal privacy and protection.

The grounds of deponent's belief as to all matters stated herein are communications with claimants.



Johnny G. Destino, Esq.

Sworn to before me this
19th day of December, 2013.


Notary Public

JAN MARIE WOODLEY
Notary Public, State of New York
Qualified in Niagara County
No. 01BR4663292
My Commission Expires 10-31-20 14

EXHIBIT A

Complaint of Kimberly Snickles, former Director of Communications from May 20, 2013 through October 15, 2013, of Assemblyman Dennis H. Gabryszak.

1. At her first week on the job in May, 2013, she was asked by the Assemblyman to join him in Albany for a massage. Not knowing anyone in Albany, or any better, she accompanied him to a massage parlor in Albany.
2. On her second week on the job, in June, 2013, she was taken to dinner by the Assemblyman at a local restaurant, the Rusty Nail. The topic of the conversation at dinner made her very uncomfortable. She was asked questions such as, "would a man still find a woman attractive if they had a nice set of breasts, but an unattractive face?" On the way home from the restaurant that same evening, the Assemblyman told her that he was more of a "butt" guy than a "boobs" guy.
3. In June, 2013, as she was being dropped off to her hotel by the Assemblyman, she became aware that the power in the building was out due to inclement weather. He invited her to stay with him that evening in his apartment.
4. In June, 2013, in the Assemblyman's office, the Assemblyman told her and one of his interns a joke about him "having a tattoo on his penis."
5. In June, 2013, as she was walking in a parade with the Assemblyman and they walked past a set of train tracks, the Assemblyman asked her if she "liked to be tied up to them."
6. On or about June 20, 2013, since the session had ended, she intended on spending the night at one of the intern's homes. The intern however, was going out for the evening and Kimberly simply wanted to go to sleep. As a result, she purchased her own hotel room. Upon hearing what she had done, the Assemblyman said to her, "Why would you do that? I told you that you could stay at my place." She politely responded that she would feel more comfortable in her own room because she needed to shower. The Assemblyman quickly responded to her, "I have a shower." She was so upset by the Assemblyman's behavior that she called her boyfriend and mother in tears.
7. On July 30, 2013, she and the Assemblyman were in New York City for a roundtable event. She advised the Assemblyman that she was going to be spending the evening at her grandmother's house in Brooklyn. Despite her plans, the Assemblyman still invited her to sleep in his hotel room. Later the same day, she was using the office camera that had recently been purchased for her to use during events

and press conferences. She saw photos in the camera of women in New York City that the Assemblyman had taken the night before. When she asked him about the pictures, he showed her his iPhone and said that these women had given him their phone numbers. From looking at the photos it was her belief that these women were prostitutes.

8. On July 31, 2013 on the plane ride home back from New York City, the Assemblyman spoke explicitly about his activities the night before in which he had hoped to get a "happy ending" from the massage lady in his hotel room that night. This conversation was very upsetting to her.

9. On numerous occasions in August, 2013, the Assemblyman regularly told her and co-worker that they should wear bikinis to his events.

10. During the time period from June, 2013 through August, 2013, if she and one of her female co-workers rode in the back seat of the Assemblyman's vehicle, he would regularly look in the rear view mirror and ask them "if they were kissing each other."

11. Between September 18, 2013 and September 21, 2013, she accompanied the Assemblyman as part of the Salute to Our Veterans Trip to West Point and New York City. On the first day they arrived with the veterans at the hotel, the Assemblyman texted her and asked what room she was in. She ignored the text. Later that day, they were out to lunch and the waitress asked them if they were together, actually meaning did they want one bill or two. Upon hearing the waitress, the Assemblyman said, "You hear that Kimberly, we are together. Does that mean we are getting one room tonight?" She responded, "No, she was talking about the bill." Later on the same trip as they were riding on the ferry to the Statue of Liberty, the Assemblyman asked her if she would prefer to go on the top of the ferry or the bottom. She replied the top. The Assemblyman responded, "Oh, you like it on top huh."

12. The next week at lunch with the staff, the Assemblyman became aware that one of the staff members, was having a garage sale. He began making fun of her and said a number of times that she was going to "sell her panties at the garage sale." The comments made Kimberly very uncomfortable.

13. At the same lunch meeting, the Assemblyman made numerous sexual jokes about Kimberly. He told those present that when they were in New York City, Kimberly wanted to see the "naked lady" (an attraction in Time Square of a woman who was covered in body paint). The Assemblyman proceeded to tell the others at the table

that Kimberly "tried to stick her tongue down the naked lady's throat." These comments were obviously untrue and very degrading to Kimberly. They made her very upset.

14. In October, 2013, she met with the Assemblyman's Chief of Staff, Adam Locher, to express her disgust with the Assemblyman's behavior. Mr. Locher advised her that he did not want to be involved in a sexual harassment complaint and to speak with the Assemblyman directly. She then scheduled a meeting with the Assemblyman. It appeared that he was tipped off to the subject of the meeting by Mr. Locher. She waited patiently in the Assemblyman's office for him to appear for the scheduled meeting, but he failed to do so.

15. On or about October 15, 2013, she met once again with the Assemblyman's Chief of Staff, Adam Locher. This time, it was to advise him that she was leaving her position because of the Assemblyman's inappropriate behavior. After hearing of the most recent incidents, Mr. Locher told her that he "did not blame her for leaving" and he "apologized on behalf of the Assemblyman."

EXHIBIT B

Complaint of Jamie L. Campbell, former Legislative Director from June, 2010 until October 25, 2013, of Assemblyman Dennis H. Gabryszak.

1. When she accepted the position with Assembly Gabryszak, it was her understanding that she was to work exclusively in the Albany office, since she resided near there. On at least six occasions, during her employment, however, she was forced to drive across the state to the district office in Cheektowaga. Upon arriving for each of these visits, there was literally no work for her to be done in the district office because her NYSA account information was not coordinated with the district office computer. Her only activity during these trips, were to be taken to dinner and lunch by the Assemblyman. Each evening, the Assemblyman would drive her back to her hotel. She would attempt to exit his vehicle but the Assemblyman insisted on walking her to her room. She always tried to tell him that she was fine, but he would follow her to the outside door of her hotel room. Upon arriving at her room, he would simply stand there. She would try and conclude a conversation with goodbye but he would discuss other topics, stalling and waiting for an invitation into her room. No invitation was ever made. This made her feel extremely uncomfortable and fearful for her personal safety.

2. There were other actions on the part of the Assemblyman which clearly suggested a desire for an inappropriate relationship. On a number of occasions, he requested her to go for massages with him. She declined each time. In addition, he offered her gifts, such as Coach bags, which she also respectfully declined. In other instances, he would simply give her gifts such as necklaces and scarves.

3. In the Fall of 2011, she was in the district office with Annalise Freling and another staff member. The Assemblyman had advised them that he was going to send a video message from his phone to be delivered to his constituents because he was tied up in Albany that evening. When the message from the Assemblyman came in, Annalise clicked the read button and they were all shocked with the video message that he had sent. It was of him sitting in a bathroom stall. In the video, which showed the Assemblyman from the mid-abdomen and above, he theatrically presented a visual image of himself receiving fellatio.

4. On one occasion when she was with the Assemblyman and Communications Director, Kimberly Snickles, the Assemblyman asked the women, "Do you think if a woman has nice breasts, but an ugly face, is she still worth it?" Despite the fact that both women told him that such a discussion was inappropriate and unnecessary, he attempted to ask the same question of them three more times that day.

5. On another occasion, she received a UPS notice. Upon seeing the notice the Assemblyman said to her, "Jamie, just admit it. You know you bought sex toys." She explained that she did not intend on having such a conversation. The Assemblyman however replied, "I know it. You bought sex toys and just don't want to admit it."

6. One day in the office, she asked a question to a co-worker regarding writing a response letter to an unruly constituent that indicated that their office did not support the constituent's position. The co-worker said to her, unaware that the Assemblyman was listening, "In a letter, how do I politely say fuck you?" Overhearing the conversation, the Assemblyman walked up to her desk and responded, "May I please fuck you?"

7. One of the most disconcerting problems that she had with the office environment had to do with the invasion of her personal space by the Assemblyman. On a daily basis, he would approach her to "check something" on the computer that she was working on. He would state that she was fine where she was sitting and didn't need to get up for him. He would then proceed to lean over her shoulder and position himself extremely close to her, so she would be forced to dramatically lean to the side. To get away from him, she had to push her chair backwards away from the desk, which pushed him away and allowed her to stand up. This routine on the part of the Assemblyman made her very nervous and upset.

8. Throughout her time in the office, the Assemblyman continuously talked about various women that he wanted to have sex with. He often eluded to a prior affair which he had with a former Assemblywoman. He discussed women he would try and pick up and the dates he went on. The Assemblyman regularly talked about prostitutes and his regular visits to a local strip club called "Double Vision".

9. On one occasion, she was wearing glasses instead of contacts, due to an eye infection. When the Assemblyman saw her he stated, "You know, I can fire you for anything I want. I have even spoken to HR and because this is a legislative position, I can fire you for absolutely anything. I can fire you because I don't like your glasses." She responded by stating "my glasses? It is not like I am wearing something inappropriate?" The Assemblyman then responded, "It doesn't matter. If I don't like how you look, I can fire you." He then went on to clarify that he didn't mind, however, if she wore something inappropriate.

10. The Assemblyman regularly asked her to relocate to Western New York. She explained that it was not possible because she had a fiancé and they had recently

bought a house together where she lived with him and his eight year old daughter. The Assemblyman responded, that she "didn't need a fiance" and he offered her a salary of \$100,000.00 to move to Western New York. When she rejected the offer, the Assemblyman stated, "I guess I will just have to get your fiancé to break up with you." This remark terrified her because she felt that the Assemblyman would somehow try to ruin her family.

11. One day during the 2013 session, the Assemblyman walked into the office and greeted her by saying, "What's up bitch?" The comment upset her very much and she felt degraded by it.

EXHIBIT C

Complaint of Annalise C. Freling, former Director of Communications of
Assemblyman Dennis H. Gabryszak from June, 2011 until March, 2013.

1. Within a month of her hiring, Assemblyman Gabryszak began a pattern of conduct toward her that included sexual comments and inappropriate behavior. He told her that "He could fire her for any reason and he didn't need an excuse." He went on to tell her that "If he didn't like the way she looked that day, he could dismiss her." Also that month, there was an occasion when Annalise was uncertain whether she needed to travel to Albany. The Assemblyman told her in person and by text message that "The only reason he hired her was because she was pretty."

2. On December 11, 2011, the Assemblyman was called back to session but the office had planned a town hall meeting in Lancaster, NY. Since the Assemblyman couldn't attend, he told Annalise and the staff that he was going to send a recorded message to play to his constituents. On the night of the event, the Assemblyman sent a video to Annalise of him in a bathroom, either receiving or pretending, to be receiving fellatio. Three other staff members also saw the video. Annalise was so disgusted by the video that she immediately called the Assemblyman to tell him how inappropriate the video was.

3. On a Veterans Trip to Washington, DC in 2011, the Assemblyman, Annalise and other staff members stayed at the marine base in Quantico, VA. One of her friends from college was stationed there and he came over to Annalise's room to visit. The Assemblyman was upset by this because he had earlier requested that Annalise come over to "hang out in his room" and she declined. As a result, the Assemblyman continuously kept coming by her room and was looking into the room through the window and door. He wasn't aware of the fact that Annalise saw him doing that.

4. In late 2011, she traveled to Albany for an event to see President Bill Clinton. The Assemblyman refused to purchase a hotel room for Annalise stating that she could either stay at his apartment or the LOB. This was a trick on the part of the Assemblyman since before they left the district office, he had told Annalise that he had purchased a room for her. On the way to Albany, however, he told her that all rooms were booked.

5. In late 2011, she was at a fund raiser with the Assemblyman. When she was ready to leave, she looked for her car keys. They had been in her purse, but they were not there. The Assemblyman said that he would take her to his

apartment. She reluctantly agreed to do so. At the apartment, her car keys miraculously appeared in the Assemblyman's possession.

6. On February 14, 2011, the Assemblyman told her that because it was Valentine's Day he wanted to take her out to dinner. Annalise reluctantly agreed. He first took her to a Jane Moynhit concert in the Egg at the Capitol. She was extremely uncomfortable there because it clearly was a couples concert. She asked to leave. He agreed, but then took her to dinner at a restaurant. This was clearly another couples date because of the restaurant he took her to. The Assemblyman attempted to give Annalise a set of pearls. She told him she could not accept them and did not want them. The Assemblyman, nonetheless, put them in her bag.

7. On April 25, 2012, the Assemblyman sent her a facebook message talking about Assemblywoman Nicole Malliotakis. He stated that "she looked good today" and he referred to her as "Malliocockkiss".

8. In 2012, at one of the Governor's events, the Assemblyman said to her that "she looked good today." Annalise ignored him and the Assemblyman went on to say, "I got a boner when I walked into the office today when I saw you." He further stated, "You're so hot, you know what I want to do with you." This caused Annalise to storm off as she demanded that he stop his behavior. She walked into the event, which was held at the Medical Corridor and had a panic attack. She was afraid to tell anyone why she was so upset.

9. On an evening in 2012, the Assemblyman contacted her in a panic because he was at a massage parlor and had forgotten his wallet. She reluctantly agreed to deliver it to him. The Assemblyman was regularly asking Annalise to go for massages with him, which she declined each time.

10. In 2012, she became so upset with the Assemblyman's behavior toward her, that she brought it to the attention of this Chief of Staff, Adam Locher. Mr. Locher's response to her was that "Dennis can get carried away from time to time and to ignore him." Mr. Locher went on to state that, "You are making \$33,000.00. That's a good salary. There are not a lot of other good jobs out there. If you don't like it, you could always try to look for another job."

11. In 2013, another individual was hired by the Assemblyman to replace a staff member who had left. The Assemblyman made regular comments to Annalise such as "Why don't you dress more like her." He also commented "It's good to

have good looking interns in the office" (The new member was an intern before she became a staffer).

12. On March 2, 2013, on her way to a SCOPE dinner, which she attended with the Assemblyman, Annalise spilled mocha on her dress and had to go home to change. She sent a text to the Assemblyman advising she would be late for the event. He responded by text stating that he wanted to "lick her" because she had mocha on her.

13. On a number of occasions, she was forced to see the Assemblyman's social media contacts and content. He would regularly ask her to find numbers on his cell phone. On at least four or five occasions, the website, "Backpage" would be on his browser. Displayed on it were numerous women from female escort services. On one occasion during session, the Assemblyman left his cell phone on his desk. He contacted Annalise and asked her to bring this to him. As she picked up the phone, a voicemail popped up. It was a woman leaving him her measurements.

14. On one occasion, she attending a holiday lunch for the Assemblyman in Cheektowaga for a union group. Annalise wasn't feeling well and fell asleep in the Assemblyman's car on the way back to the office. She was awakened by a conversation between the Assemblyman and Andy Sanfilippo about an escort that Dennis had talked to. Even when she was trying to rest, Annalise could not avoid the hostile and offensive environment created by the Assemblyman.

15. She was regularly subjected to a hostile and offensive workplace environment as the Assemblyman and Chief of Staff, Adam Locher, were continuously talking about strip clubs they attended. Apparently, each time they were in Albany, they said that "It was a ritual to go to a strip club." On one occasion, the two talked explicitly about a dance that the Assemblyman had received from a stripper. These conversations upset Annalise very much. Despite her request that they stop such conversations, the behavior continued.

16. On another occasion, the Assemblyman had returned from a trip to New Orleans to visit his daughter. He asked Annalise to get pictures off his ipad for a facebook post. As she was looking for the pictures, she came across pictures of two African-American women in a hotel room. They were naked and in the shower. Seeing this upset her very much.

17. Annalise became so self-conscious about the daily comments the Assemblyman made about her appearance, she stopped wearing makeup and doing

her hair before work. She hoped doing so would cause the Assemblyman to stop his inappropriate comments and behavior toward her. Unfortunately, that was not the case.

18. That all of the above incidents have caused extreme anguish, distress and trauma to Annalise. In her new job, she is constantly in fear of being fired and she is reluctant to trust anyone. This is based solely due to the hostile and offensive work place environment she was subjected to while employed by the Assemblyman.

STATE OF NEW YORK
COURT OF CLAIMS

CAITRIN KENNEDY,

Claimant,

vs.

**NOTICE OF INTENTION
TO FILE A CLAIM**

NEW YORK STATE ASSEMBLYMAN
DENNIS GABRYSZAK, NEW YORK STATE
ASSEMBLY, THE STATE OF NEW YORK,

Respondents.

TO: NEW YORK STATE ASSEMBLYMAN DENNIS GABRYSZAK
THE NEW YORK STATE ASSEMBLY
THE ATTORNEY GENERAL OF THE STATE OF NEW YORK

Claimant, Caitrin Kennedy, pursuant to the Court of Claims Act §10 and §11, hereby provides notice to the Clerk of the Court of Claims and the Attorney General of the State of New York that she intends to make claims against New York State Assemblyman Dennis Gabryszak, the New York State Assembly and the State of New York, and alleges as follows:

NAME AND POST OFFICE ADDRESS OF CLAIMANT:

CAITRIN KENNEDY
c/o Prathima Reddy, Esq.
455 Linwood Avenue
Buffalo, New York 14209

NAME AND POST OFFICE ADDRESS OF CLAIMANT'S ATTORNEY:

The Law Offices of Prathima Reddy LLC
Prathima Reddy, Esq.
455 Linwood Avenue
Buffalo, New York 14209
(716) 725-0139 (office)
(716) 625-1519 (fax)
preddy@preddylawoffices.com
preddylawoffices.com

NATURE OF CLAIM

1. Claimant was subjected to a hostile and offensive work environment by her employers, New York State Assemblyman Dennis Gabryszak, the New York State Assembly and the State of New York. The behavior was so severe, persistent and pervasive that claimant has suffered emotional distress, mental anguish and stress. Portions of this behavior occurred in public settings, and cause claimant ongoing emotional distress specifically relative to this behavior's effect on her reputation and future employment prospects. Claimant continues to endure ongoing suffering from emotional distress, mental anguish and stress. Assemblyman Dennis Gabryszak's ("Assemblyman Gabryszak") conduct rose to the level of sexual harassment in violation of claimant's Federal rights under Title VII, 42 U.S.C. § 1983 and numerous other workplace rights under both New York State and Federal law.

DETAILS OF CLAIM

2. Caitrin Kennedy began her employment in the office Assemblyman Mr. Gabryszak on September 30, 2013, as his Director of Community Relations. She continues in this role as of the date this Notice is verified.
3. In her first week as an employee of Mr. Gabryszak, Ms. Kennedy was assigned to his Albany, New York office while her Human Resources paperwork was processed. In this first week as an Assembly employee, Assemblyman Gabryszak suggested to Ms. Kennedy that he should accompany her to a couples massage.
4. Throughout the first week of October, 2013, Assemblyman Gabryszak repeatedly asked Ms. Kennedy whether or not she had a boyfriend. When she indicated that she did not have a boyfriend, he suggested that she should "become pregnant."
5. Throughout her time in Assemblyman Gabryszak's employ, Assemblyman Gabryszak has frequently interjected remarks about strip clubs and prostitutes into conversations, including occasional invitations to attend strip clubs with him.
6. On or about November 15, 2013, while attending a benefit for the YWCA, Assemblyman Gabryszak suggested that Ms. Kennedy accompany him on a weekend vacation. Later that evening, Assemblyman Gabryszak purchased a raffle basket for Ms. Kennedy, despite her protestations that she had no interest in such a gift. Subsequent to this purchase, an attendee asked

Assemblyman Gabryszak if he was married to Ms. Kennedy, to which he responded "not yet."

7. In November 2013, Assemblyman Gabryszak remarked to Ms. Kennedy that if workers in the sex trade were to unionize, he would no longer be able to afford their services.
8. In November and December 2013, Assemblyman Gabryszak would often discuss his fantasy football teams around his staff; the names of his teams were related to oral sex and female genitalia.
9. On or about the first week of December 2013, Assemblyman Gabryszak became much more aggressive and frequent in his bizarre and sexually suggestive behavior towards Ms. Kennedy. On or about December 11, 2013, Assemblyman Gabryszak and his staff travelled to New York City for their office holiday dinner. In the course of posing for pictures, Assemblyman Gabryszak suggested that Ms. Kennedy sit on his lap, kiss his legislative director, a woman, or that Ms. Kennedy and the legislative director "touch butts" to be photographed. The incidents in this paragraph all occurred in a public setting.
10. On December 16, 2013, Ms. Kennedy entered Assemblyman Gabryszak Cheektowaga office to find Assemblyman Gabryszak engaged in conversation with a gentleman, who looked at Ms. Kennedy and remarked, "Dennis, you told me you had an animal working here, but you didn't tell me she was a fox."
11. On December 17, 2013, at a holiday party in Amherst, Assemblyman Gabryszak remarked, in the presence of a number of female constituents, that he found Ms. Kennedy's attire attractive, and that she should "come to work dressed like that."
12. On December 18, 2013, while attending a holiday luncheon at the Holiday Inn Buffalo-Intl Airport, Assemblyman Gabryszak remarked as he and Ms. Kennedy passed a hot tub that he would like to get in a hot tub with her.
13. On several occasions throughout her employment, Ms. Kennedy has, while using the office-owned camera, viewed pictures on said camera of scantily clad women in hotel rooms.

ITEMS OF DAMAGES


14. Claimant's damages include, but are not limited to, loss of future income as a result of harm to her reputation due to her repeated

public and private harassment by Assemblyman Gabryszak. More importantly, Ms. Kennedy has suffered emotional distress, mental anguish and stress due to the outrageous and inappropriate conduct and behavior of New York Assemblyman Dennis Gabryszak. By reason of the foregoing, Ms. Kennedy has been damaged and demands remuneration, monetary compensation and judgment against the Respondents herein, New York Assemblyman Gabryszak, the New York State Assembly and the State of New York.

VERIFICATION

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

Caitrin Kennedy, being duly sworn, deposes and says that deponent is the Claimant in the within action; that deponent has read the foregoing Notice of Intent to File a Claim and knows the contents thereof; that the same is true to deponent's own knowledge, except as to matters therein stated to be alleged upon information and belief, and that as to those matters, deponent believes it to be true.



Caitrin Kennedy

Sworn to before me this 24th day
of December, 2013.



JOSEPH W. WISNOSKI
No. 01W16190688
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 07/28/16



LAW OFFICES OF
JOHN P. BARTOLOMEI
&
ASSOCIATES
ATTORNEYS AT LAW

Via Overnight Delivery

January 2, 2014

Speaker of the Assembly Sheldon Silver
Legislative Office Building
Room 932
Albany NY 12248

250 Broadway, Suite 2307
New York NY 10007

Dear Speaker Silver:

This office has been retained by Trina Tardone and Emily C. Trimper, two former employees of New York State Assemblyman Dennis Gabryszak and is hereby filing a formal complaint against the Assemblyman and the New York State Assembly on their behalf. There will also be another former employee coming forward with similar allegations in the very near future. This complaint is brought to you in your capacity as Speaker of the Assembly. A Notice of Claim has also been filed with regard to this matter naming Assemblyman Gabryszak, the New York State Assembly and the State of New York as Respondents.

In order to best describe Assemblyman Gabryszak's actions, attached please find EXHIBIT A, which describes his behavior toward Trina Tardone and EXHIBIT B, which describes his behavior toward Emily C. Trimper. After reviewing this documentation, would you kindly have one of your representatives contact my office to discuss this matter in detail.

Thank you for your anticipated cooperation.

Yours truly,


JOHN P. BARTOLOMEI

JPB/man
Enclosures

EXHIBIT A

Complaint of Trina Tardone, former Director of Communications for Dennis H. Gabryszak from July, 2009 through December 9, 2010.

1. On her first week of employment, the Assemblyman began to make sexual advances toward her. On her initial arrival to Albany, he advised her that he would be at her hotel when she arrived. Upon arrival, the claimant received her room key. At that point, the Assemblyman insisted that he go to her room with her to "insure that it was acceptable". Upon arriving at the room, the claimant advised him that she needed to change because they were going to be having dinner with others. Despite this comment, he entered her room and would not leave. The claimant asked the Assemblyman to meet downstairs in about fifteen minutes. Despite her assertion, he insisted on staying in the room and took off his jacket and sat on the bed and began to watch television. At that point, the claimant grabbed her clothes, curling iron and make up and went into the bathroom and locked the door. When she came out, however, he was still in the room, reclining on the bed with his tie undone. The claimant asked if they were leaving and he said "in a little while". At that point, she felt very uncomfortable and advised the Assemblyman she would meet him downstairs and he could stay in the room and finish watching television. She then walked out the door and he quickly followed her.

2. When she was in the Buffalo office, the Assemblyman advised her that when in Albany, she could always stay at his apartment. The claimant abruptly commented that doing so would be highly inappropriate and that they would need to work out her arrangements in Albany.

3. Later in 2009, the Assemblyman advised the claimant that she needed to travel to the Albany office because his Legislative Director could not. She asked where he thought she should stay and if such travel was going to be a weekly or monthly occurrence. The Assemblyman responded that "really the only place to stay was his apartment".

4. Still later in 2009, when she was in Albany, the Assemblyman insisted that the claimant go to his apartment and look over documents that he had there. She reluctantly agreed to do so. While at the apartment, the Assemblyman grabbed her and tried to kiss her. The claimant broke away from him, grabbed her briefcase and purse and stated that she would "find a way to work with him, but that she would not be alone with him in any situation". She further stated, "that if they needed to work together, it would be in the office with others around". The Assemblyman responded, "If that was

the case, he would not support her travel in any way and that she could find her own way to Albany”.

5. That after spurning the Assemblyman’s sexual advances, he became hostile toward the claimant and stated that she “worked at his pleasure and that if she didn’t do what he asked, including traveling with him and attending dinners and social events with him, that she would be let go”.

6. That in order to avoid any future sexual advances on the part of the Assemblyman, the claimant was forced to drive herself to and from Albany, stay at inexpensive hotels or take the train to and from Albany. She unfortunately had to do so at her own expense. As a result, she earned very little from her job.

7. That as a result of the Assemblyman’s conduct, the claimant met with his chief of staff, Adam Locher, to address her concerns. Mr. Locher’s response was “to just ignore it, that is the way Dennis is”.

8. The hostile and offensive environment created by the Assemblyman, made it untenable for the claimant to work in his office. As a result, the claimant had no alternative but to leave her employment on December 9, 2010.

EXHIBIT B

Complaint of Emily C. Trimper, former District Office Administrator for
Assemblyman Dennis H. Gabryszak from August, 2007 through March, 2008.

1. That throughout her employment, the claimant was subjected to a continuous pattern of a hostile and offensive work environment by the Assemblyman.

2. On a regular basis, the Assemblyman discussed a number of lewd topics, including watching pornographic movies on Cinemax. He referred to the channel as "Skin-A-Max". These comments were made in the presence of his chief of staff, Adam Locher. Since this was the claimant's first paid career position, she felt very uncomfortable around such conversations, but was unsure as to how to raise an objection to it.

3. On another occasion, upon returning to the District office, the Assemblyman brought framed black and white photographs of women's belly buttons and navel areas to hang in his office. The claimant found these sexually charged photographs offensive and inappropriate to hang in a government office. Although she felt intimidated and uneasy about the situation, she was not sure as to how to voice her concerns.

4. That throughout her employment, when sitting at her desk, the Assemblyman would regularly lean over her from behind or lean forward into her to the point of grossly interfering with her personal space. The Assemblyman's behavior made the claimant very uncomfortable and made it difficult for her to effectively perform her work duties and responsibilities.

5. That in December, 2007, the Assemblyman offered the claimant the use of his private apartment in Albany if she needed a place to stay when she was there. This too made her feel very unsettled.

6. That throughout her employment, the claimant always felt uncomfortable in the Assemblyman's presence and was much more at ease working in the District office when he was in the Albany office. When working in the District office, he would often dress inappropriately, such as wearing tight jeans and black button down shirts that showed off his chest hair.

LAW OFFICES OF
JOHN P. BARTOLOMEI
&
ASSOCIATES
ATTORNEYS AT LAW

Via Overnight Delivery

January 6, 2014

Speaker of the Assembly Sheldon Silver
Legislative Office Building
Room 932
Albany NY 12248

250 Broadway, Suite 2307
New York NY 10007

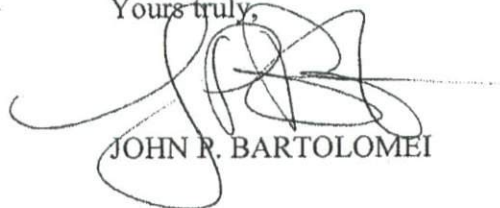
Dear Speaker Silver:

This office has been retained by **Kristy Mazurek**, a former employee of New York State Assemblyman Dennis Gabryszak and is hereby filing a formal complaint against the Assemblyman and the New York State Assembly on her behalf. This complaint is brought to you in your capacity as Speaker of the Assembly. A Notice of Claim has also been filed with regard to this matter naming Assemblyman Gabryszak, the New York State Assembly and the State of New York as Respondents.

In order to best describe Assemblyman Gabryszak's actions, attached please find my client's statement, which describes his behavior toward her. After reviewing this documentation, would you kindly have one of your representatives contact my office to discuss this matter in detail.

Thank you for your anticipated cooperation.

Yours truly,



JOHN P. BARTOLOMEI

JPB/man
Enclosure

Complaint of Kristy Mazurek, former Director of Communications for Dennis H. Gabryszak from October, 2008 through June, 2009.

1. That on one of her first trips to Albany, the Assemblyman took her to his apartment. She felt very uncomfortable there as she noticed that he had black and white photos of women in various states of undress on his walls.

2. That when she was at the apartment, the Assemblyman pointed out a flat roof area and told her that she could use said area "to sunbathe topless".

3. That early in her employment, the claimant was told by another state official (who was aware of her employment with the Assemblyman) that the Assemblyman commented to him about her, "have you seen how she looks?"

4. That throughout her employment, the claimant was subjected to continuous sexual innuendos and comments about her physical attributes.

5. That when she walked into the office each morning, the Assemblyman would frequently tell her that "her outfit was hot".

6. That in the Fall of 2008, the Assemblyman suggested that the claimant and another former staff member should join him for the staff Christmas photo. He stated that the two women should "dress in sexy elf costumes and that he should be Santa", with them sitting on his lap.

7. The Assemblyman would frequently invite the claimant to join him for a massage. She always declined the invitation.

8. That upon returning from trips to New York City, the Assemblyman would show her random photos of women that he had taken on the trips.

9. Because of the Assemblyman's behavior and comments toward her, the claimant was always forced to have a third party with her when she attended events with the Assemblyman. Doing so avoided the claimant being left alone in any compromising situations with the Assemblyman.

10. That the claimant felt so uncomfortable with the Assemblyman's behavior, that she reported same to the Assemblyman's, Chief of Staff, Adam Locher. She also advised the Assemblyman how upset she was with his sexual comments and behavior toward her. As a result, she received immediate retaliation from the Assemblyman. Her time sheets where not filed and her salary was dropped. When she began her employment, her salary was \$52,000.00 per year. By the time she left her position in May, 2009, her salary was less than half that amount.