

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT**

HUNTER DRAGON,

Plaintiff,

v.

SCA PHARMACEUTICALS, LLC.

Defendant.

3:23-CV-00188-RNC

**AMENDED COMPLAINT
JURY TRIAL DEMANDED**

April 24, 2023

NATURE OF THE CLAIMS

1. This is an employment discrimination case alleging a hostile work environment based on sex, a hostile work environment based on sexual orientation, retaliation, and constructive discharge in violation of the Connecticut Fair Employment Practices Act (CFEPA), Conn. Gen. Stat. Sec. 46a-60, *et seq.* and Conn. Gen. Stat. Sec. 46a-81c, *et seq.*; and alleging a hostile work environment based on sex (including sexual orientation), retaliation and constructive discharge in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, *et seq.* (“Title VII”).

PARTIES

1. Plaintiff is a gay man, residing in Massachusetts.
2. Defendant SCA Pharmaceuticals, LLC (“SCA”) is a pharmaceutical compounding and sales company with facilities in Windsor, Connecticut and in Little Rock, Arkansas.
3. SCA has over 500 employees across both facilities.
4. SCA was Plaintiff’s “employer” within the meaning of Title VII and the CFEPA.

5. Plaintiff was an “employee” of SCA within the meaning of Title VII and the CFEPA.

JURISDICTION AND VENUE

6. This Court has subject matter jurisdiction over Plaintiff’s Title VII claims pursuant to 28 U.S.C. §1331 and § 1343(a)(4), and supplemental jurisdiction over Plaintiff’s CFEPA claims pursuant to 28 U.S.C. § 1367.

7. Venue is proper in the District of Connecticut pursuant to 42 U.S.C. § 2000e-5(f) because *inter alia* the unlawful employment practice occurred in this District, and because SCA maintains and administers the relevant employment records in this District.

ADMINISTRATIVE EXHAUSTION

8. Plaintiff filed a timely Charge of Discrimination with the Equal Employment Opportunity Commission (“EEOC”), which he cross-filed with the Connecticut Commission on Human Rights and Opportunities (“CHRO”), alleging hostile work environment and retaliation.

9. Plaintiff supplemented his EEOC and CHRO Charges, alleging constructive discharge.

10. This Complaint has been filed less than 90 days from the date Plaintiff received a Notice of Right to Sue from the EEOC and a Release of Jurisdiction and Notice of Right to Sue from the CHRO.

11. A copy of the Complaint was served on the CHRO at ROJ@ct.gov, pursuant to Conn. Gen. Stat. 46a-103, and the Release of Jurisdiction.

FACTUAL ALLEGATIONS

12. SCA employed Plaintiff from August 10, 2020 through May 23, 2022 at its Windsor, Connecticut facility.

13. SCA hired Plaintiff to work as an Aseptic Cleaner in its Sanitization department, paying him \$15.00 per hour. In or around July 2021, SCA transferred Plaintiff to the Clean Room where he worked as an Expeditor.

SCA Created A Hostile Work Environment

14. Shortly after Plaintiff began working at SCA in August 2020, co-worker F.M.¹ asked Plaintiff whether Plaintiff had a girlfriend. Other employees were present in the locker room at the time.

15. Plaintiff told the group that he was gay and did not date women.

16. Thereafter, F.M. and others made frequent derogatory and offensive sexual and sexual orientation-based remarks to Plaintiff.

17. It became a recurring “joke” for F.M. and others in the Sanitization department, including F.M.’s friends S.(LNU)., and B.(LNU)., to ask Plaintiff whether he had a girlfriend, how she was doing, with whom Plaintiff was having sex or with whom he would “chaga-chaga” while making obscene gestures, such as thrusting their hips to make clear they were referring to sex.

18. F.M. and others engaged in this conduct on a daily or near daily basis.

19. At the same time F.M. was harassing Plaintiff, F.M. was sending private messages to Plaintiff, asking him to meet up, telling Plaintiff he was cute and stating he wanted to “hook up”.

20. In or around late-December 2020, Plaintiff had a sexual encounter with F.M. in his car at F.M.’s apartment complex.

¹ Defendant is aware of F.M.’s identity. Individuals referred to by initials, including (LNU) (Last Name Unknown), will be identified to the Defendant to the extent known by Plaintiff.

21. When the encounter ended, F.M. threatened to kill Plaintiff if he told anyone about their encounter because F.M.'s religious faith prohibited homosexuality.

22. Plaintiff was frightened by F.M.'s threat and feared F.M. might try to kill him right in that moment.

23. F.M. intensified his harassment following their encounter.

24. On Plaintiff's first day back to work after the encounter, F.M. asked Plaintiff if he was pregnant in front of several coworkers in the locker room.

25. When Plaintiff refused to engage, F.M. called him "fag" and "queer."

26. Over the next several months, F.M.'s abuse became more frequent and severe.

27. F.M. repeatedly referred to Plaintiff with homophobic slurs, such as calling him "fag," "queer," or "gay".

28. When Plaintiff would approach his workstation, for example, F.M. would say "here comes the fag."

29. F.M. and his friends regularly asked Plaintiff whether he had a girlfriend or if he was pregnant. They ridiculed the way Plaintiff talked and his mannerisms by imitating him in an exaggerated way, as well as made offensive "jokes" and comments relating to his sexual orientation.

30. Plaintiff repeatedly asked F.M. to stop harassing him, which aggravated F.M., who would respond with aggressive gestures, yelling, or threats of violence.

31. F.M. engaged in other explicit and violative sexual behavior at SCA.

32. By way of example and not limitation, about two weeks after the first time F.M. called Plaintiff a "fag" and "queer," F.M. stared at Plaintiff through a workstation window while openly rubbing his own genitalia over his pants.

33. Plaintiff saw F.M. touch or rub his genitalia on more than one occasion while F.M. stared at him.

34. F.M. approached Plaintiff's workstation and said: "look down," gesturing to his groin. Plaintiff could not avoid seeing that F.M. was pointing to F.M.'s noticeably erect penis in his pants. Plaintiff said: "No, please go away." F.M. replied, "just look at it." Plaintiff said, "No, leave!"

35. Plaintiff often observed F.M. staring at him while Plaintiff changed in the locker room.

36. Plaintiff felt threatened and afraid to be alone with F.M. in the locker room because *inter alia* Plaintiff took seriously F.M.'s threat to kill him.

37. Plaintiff's coworkers witnessed F.M.'s abuse and reported much of what they witnessed to SCA.

38. J.H. worked on the same shift and team as Plaintiff and F.M. for approximately eight months in 2020 and 2021. By way of example and not limitation, J.H. witnessed the following:

a. F.M. and others making offensive "gay" jokes and comments to Plaintiff on a daily basis, including calling him "fag."

b. F.M. regularly asking Plaintiff questions along the lines of whether Plaintiff was going to kiss male employees who walked past the Sanitization department, or whether the person was Plaintiff's boyfriend or husband.

c. F.M. asking Plaintiff on several occasions if Plaintiff was going to massage the male members of the Sanitization department.

d. F.M.'s friends, including Team Lead Nathan Ellis, laughing along and joining in on the harassment against Plaintiff.

e. F.M. or his friends making offensive comments to Plaintiff when walking by Plaintiff in the cafeteria.

f. Plaintiff asking F.M. to stop making comments, to no avail.

g. F.M. standing or positioning himself very close to Plaintiff, who would try, unsuccessfully, to move away, because F.M. would just move toward him again.

39. Witness B.C. worked on the same shift and team as Plaintiff and F.M. from approximately August 2020 until June or July 2021. By way of example and not limitation, B.C. witnessed the following:

a. F.M. regularly making offensive comments and "jokes" to Plaintiff that were always either sexual in nature or directed at Plaintiff's sexual orientation.

b. F.M. often calling Plaintiff "bitch."

c. F.M. saying to Plaintiff something along the lines of: "If you go to the DMV, do you check male or female?"

d. F.M. regularly making sexually graphic gestures directed at Plaintiff with a syringe bottle while pretending it was a penis. For instance, F.M. would call Plaintiff's name and then wipe the bottle in a sexually suggestive way while laughing.

e. F.M. watching Plaintiff change down to his underwear in the locker room about twice per week, which was clearly intentional because F.M.'s locker was on the other side of the locker room, so he had to walk to where Plaintiff's locker was located to see him.

f. F.M. regularly staring at Plaintiff, for example from the window where new hires watch the work.

g. F.M. acting aggressively towards Plaintiff, including by overreacting and getting angry if Plaintiff challenged him in any way.

40. Witness J.C. worked on the same shift and team as F.M. and Plaintiff between February and June 2021. By way of example and not limitation, J.C. witnessed the following:

a. F.M. and other male members of the team making offensive comments to Plaintiff relating to his body and his sexual orientation, on a daily basis, which visibly upset Plaintiff.

b. F.M. engaging in inappropriate physical conduct towards Plaintiff, including staring at him in threatening and/or sexualized ways, making J.C. personally uncomfortable.

c. F.M. regularly positioning himself so that he was close to Plaintiff and continuing to do so despite that Plaintiff would move away.

SCA was on notice of F.M.'s harassment because Plaintiff complained and witnesses corroborated the harassment

41. Plaintiff was terrified of retaliation, and even more frightened that F.M. would carry out his threat to kill him if he reported F.M.

42. Nevertheless, in July 2021, after an especially bad day of F.M. calling Plaintiff “fag” and “queer” and making other offensive comments, Plaintiff summoned his courage and reported to human resources that F.M. had been harassing him, including by calling him homophobic slurs, making frequent sexual and homophobic comments, and engaging in sexually offensive and violative conduct, such as staring at him and watching him change in the locker room.

43. Plaintiff also reported that F.M. threatened to kill him after they had a sexual encounter.

44. Plaintiff identified for human resources four witnesses to F.M.'s harassment, including B.C., Y.R., J.C. and J.H.

45. Witnesses corroborated Plaintiff's complaint against F.M.

46. In SCA's investigation:

- a. B.C. reported that F.M. harassed Plaintiff at least once per week, including by making remarks about Plaintiff's sexuality.
- b. B.C. reported that when Plaintiff asked F.M. to stop, the harassment continued.
- c. Y.R. reported that she was worried about Plaintiff's safety in the parking lot for fear that F.M. might do something to him.
- d. Y.R. reported that F.M. made comments and asked inappropriate questions about Plaintiff's sex life.
- e. Y.R. reported that F.M. repeated his comments over and over in front of all the employees.
- f. Y.R. reported that Plaintiff asked the Team Lead to be moved away from F.M.
- g. Y.R. reported that F.M. threatened to slap Plaintiff when Plaintiff asked F.M. to stop harassing him.
- h. Y.R. reported that F.M. stared at Plaintiff a lot.
- i. Y.R. reported the opinion that no one should be treated the way Plaintiff was treated and that it was not right.
- j. J.C. reported that F.M. always stared at Plaintiff.
- k. J.C. reported that the way F.M. stared at Plaintiff even made J.C. uncomfortable, so J.C. could not imagine how Plaintiff must have felt.

1. J.C. reported that F.M. asked Plaintiff about his boyfriend and “whether they are going to have a baby.”
47. SCA’s interview of F.M. was limited to asking whether F.M. made inappropriate comments to Plaintiff, which F.M. denied.
48. SCA did not require F.M. to stay away from or otherwise to cease contact with Plaintiff.
49. When SCA informed Plaintiff it had concluded its investigation, Plaintiff told human resources that he did not feel safe working around F.M.
50. Rather than move F.M., SCA told Plaintiff he would have to continue to work with F.M., or *Plaintiff* would have to take a transfer.
51. In light of Defendant’s refusal to ensure that F.M. would not be in contact with Plaintiff, to avoid working with F.M., Plaintiff had no choice but to accept the transfer to a different department.

F.M. continued to harass Plaintiff

52. F.M. continued to harass Plaintiff.
53. Even in his new position, Plaintiff still saw F.M. every day throughout the facility, including the locker room, bathrooms, cafeteria, and at and near his workstation, where F.M. continued his abuse.
54. SCA also often scheduled F.M. to work in Pass-Through (the area where Plaintiff entered the Clean Room), an opportunity that F.M. used to continue his harassment.
55. Plaintiff regularly noticed F.M. standing directly in front of the Pass-Through window, staring at him when Plaintiff gowned up or bent over to put on his work boots.

56. At times, SCA assigned F.M. tasks for which he needed to enter the Clean Room while Plaintiff was working there.

57. In or around September 2021, Plaintiff was working in the Clean Room when F.M. entered, surprised Plaintiff, and threatened Plaintiff to “hurry up.”

58. Plaintiff was startled and told F.M. that he was not supposed to be there.

Plaintiff reported F.M. again, but the harassment continued

59. Plaintiff reported to SCA that F.M. was coming into the Clean Room while he was working and that F.M. always seemed to be around him.

60. SCA’s camera footage showed that F.M. was in the Clean Room on the date in question and that he appeared to exchange words with Plaintiff.

61. SCA concluded that F.M. was not supposed to be in the Clean Room.

62. Defendant did not discipline F.M.

63. F.M. continued to harass Plaintiff, including but not limited to watching him change in the locker room and watching him through the Pass-Through window.

64. F.M.’s locker was not located near Plaintiff’s. To watch Plaintiff, F.M. had to position himself near the door or garbage pail.

65. Plaintiff was required to undress down to his underwear in the locker room.

66. F.M.’s conduct was threatening and invasive, and he did not feel safe changing in the locker room; however, there was nowhere else for Plaintiff to change because he was not permitted to bring his required attire into the bathrooms.

67. F.M.’s “peeping tom” conduct occurred on several occasions after Plaintiff first complained of F.M.’s harassment.

68. F.M.'s presence and continued harassment was especially intimidating to Plaintiff considering F.M.'s history of abuse, Plaintiff's complaints against him, and F.M.'s explicit threat on Plaintiff's life.

Plaintiff complained to Defendant yet again due to continued harassment

69. On November 22, 2021, Plaintiff was forced to again report to SCA that F.M. continued to come into the Clean Room while Plaintiff worked.

70. Plaintiff reported that F.M. was in the Clean Room pacing back and forth and watching him.

71. SCA admitted to Plaintiff that it scheduled F.M. to work in the Clean Room.

72. Plaintiff also reported that F.M. watched him while he gowned almost daily.

73. Plaintiff's coworker, B.C., corroborated Plaintiff's complaint that F.M. regularly watched Plaintiff gown.

74. SCA purported to review a limited period of security footage.

75. SCA determined that although SCA observed F.M. peering through the window, Plaintiff was not specifically aware he was being watched when it occurred, and consequently, took no action.

76. SCA did not interview F.M.

SCA was aware of F.M.'s harassment because at least one supervisor was present for it and participated

77. In addition to the repeated notice of harassment that Plaintiff provided to SCA, and the corroboration provided by co-workers, SCA was aware of the harassment that Plaintiff experienced even before he first reported it.

78. Upon information and belief, F.M. made sexual advances to a male employee from the Picking department before Plaintiff started working at SCA, about which SCA was aware.

79. Moreover, at least one supervisory employee was regularly present in the Sanitization room while F.M. harassed Plaintiff.

80. Nate Ellis, the Team Lead in the Sanitization department, was the highest ranking SCA employee on the team after the team's normal supervisor left in early 2021.

81. Mr. Ellis performed the supervisory tasks that the previous supervisor had performed.

82. Mr. Ellis was present on several occasions when F.M. and his friends would make "gay" jokes and offensive comments to Plaintiff.

83. Mr. Ellis would laugh at the comments.

84. After F.M. propositioned Plaintiff to give the male employees massages, Mr. Ellis asked Plaintiff: "Are you going to massage me?"

85. Ellis made at least one inappropriate comment about Plaintiff's body.

86. On information and belief, the harassment that Plaintiff experienced occurred in the presence of other SCA supervisors because F.M. and others harassed Plaintiff openly, loudly, and pervasively in various locations throughout the facility where supervisors would have been present, including but not limited to the cafeteria, locker room, bathrooms, sanitization room, and on the facility floor.

Defendant Retaliated Against Plaintiff For Complaining

87. Plaintiff engaged in protected activity when he reported F.M.'s harassment to human resources in July 2021, September 2021, November 2021, and February 2022.

88. Because of Plaintiff's protected activity, SCA subjected Plaintiff to materially adverse actions.

89. By way of example and not limitation, three days after Plaintiff's September 2021 harassment complaint, he was disciplined for an alleged attendance violation. After Plaintiff reported discrimination in November 2021, he was again disciplined for a purported attendance violation. In January 2022, Plaintiff was placed on "final" discipline for purported attendance violations following his complaint of discrimination.

90. Several of Plaintiff's absences occurred because he could not endure being harassed further or because he suffered from stress-related illnesses because of the harassment. Plaintiff's supervisor told him he would be excused if he were absent for these reasons.

91. Whereas Plaintiff was disciplined for absences for which he brought a doctor's note, experienced winter weather, or had medical procedures, Plaintiff's coworkers who missed time for similar reasons but who had not reported discrimination were not disciplined.

92. SCA also subjected Plaintiff to retaliatory harassment.

93. By way of example and not limitation, in the summer of 2021, Witness C.M. observed Team Lead Ellis approached Plaintiff and call him "a little bitch," or something similar, for complaining to Human Resources about F.M.

94. C.M. told SCA Human Resources representative Jennifer Diamond that she witnessed this incident and that Plaintiff seemed rattled and very upset by the comment.

95. By way of example and not limitation, moments after Plaintiff reported F.M.'s harassment in November 2021, Ellis called Plaintiff a "douchebag" for complaining.

96. Ellis explained: “[I] gave him a piece of his mind and called Hunter a Douche.”

97. Plaintiff was also ostracized and alienated by his coworkers because of his discrimination complaints. By way of example and not limitation, a Sanitization worker asked Plaintiff in a critical manner why he tried to get F.M. in trouble. Another coworker refused to help Plaintiff lift heavy totes in February 2022, forcing Plaintiff to perform the task alone, which led to Plaintiff injuring his shoulder.

98. A medical professional placed Plaintiff on a “no lifting” work restriction, but on or about February 24, 2022 when he requested an accommodation, SCA told him: “either gown up for work or go home.”

99. Plaintiff was out of work—unpaid—for nearly 3 weeks due to his injury, from February 24, 2022 through a date in the week of March 13, 2022, because SCA refused to accommodate Plaintiff in retaliation for his complaints of discrimination.

100. Plaintiff is aware of other workers who were on work restrictions who were accommodated and allowed to work in other areas of the facility.

101. Even after Plaintiff returned to work following his injury, SCA forced him to continue lift rolls of labels that stressed his shoulder.

102. Less than two months after SCA received Notice that Plaintiff had filed a Charge of Discrimination with the Equal Employment Opportunity Commission, on May 5, 2022, SCA issued retaliatory “litigation holds” to several individuals, which instructed recipients that they were prohibited from speaking with Plaintiff (and implicitly, his counsel) (“you must refrain from any communication with [plaintiff] and/or any other current or former employees concerning... any allegations made by and/or relating to [plaintiff]”).

103. The holds were designed to and did chill witness cooperation, where witnesses who were initially willing to provide information and declarations then received the litigation holds and stopped being willing to provide declarations or other information due to fear instilled from the litigation hold, and the holds were designed to frustrate Plaintiff's ability to seek redress for SCA's unlawful conduct.

104. Moreover, the holds unnecessarily referenced Plaintiff's job performance as the first type of information to preserve, implying that his performance was problematic and implying that his performance was a reason for the litigation hold, when his discrimination claims had nothing to do with his performance.

105. Additionally, the holds unnecessarily identified that Plaintiff brought discrimination claims and described the nature of those claims, rather than neutrally indicating what material needed to be placed on the holds.

106. The litigation hold letters put a target on Plaintiff, inhibited witnesses from cooperating with Plaintiff to seek redress for SCA's unlawful conduct and likely chilled others from engaging in protected activity of their own.

The Harassment Continued and SCA Constructively Discharged Plaintiff

107. In January 2022, Plaintiff met with SCA's Human Resources Generalist, Ms. Jennifer Diamond, to discuss his ongoing complaints of harassment. SCA required Plaintiff to meet with SCA's Head of Human Resources, Steven Dufort, who reports to the SCA President.

108. During the meeting, Plaintiff explained that no matter how many times he complained to Human Resources, it did not make any difference in ending misconduct and the harassment continued. Dufort told Plaintiff he would simply have to deal with having his own shift changed, and would still have to see the harasser at work. With respect to those conditions,

Dufort told Plaintiff: “you have to decide what you want to do”—i.e., to continue working under these conditions of ongoing harassment, or to resign.

109. The harassment never ended: from January through May 2022, F.M. continued to harass and intimidate Plaintiff, including but not limited to by staring at Plaintiff in the clean room, coming into the locker room while Plaintiff was required to change there, and coming into the bathroom while Plaintiff was present there and discussing Plaintiff in another language with friends, using Plaintiff’s name while laughing.

110. In May 2022, one of Plaintiff’s coworkers shared that F.M. had recently sexually harassed the coworker as well.

111. The harassment that Plaintiff’s coworker reported to him was similar in nature to what Plaintiff endured and had repeatedly reported to SCA, including predatory sexual behavior that started online, then continued and intensified at SCA, including threatening and intimidating behavior at work when F.M. was rebuffed.

112. It was clear to Plaintiff that SCA chose not to protect its employees from F.M.’s abuse; F.M. remained employed. Indeed, on information and belief, F.M. remains employed at SCA.

113. Plaintiff could no longer tolerate the harassment at SCA, its failure to remediate the work environment, and its retaliation for his ongoing protected activity.

114. On May 23, 2022, SCA forced Plaintiff to resign due to intolerable work conditions.

115. As a result of Defendant’s conduct, Plaintiff experienced emotional and physical distress, lost wages, and other harm.

COUNT I
Hostile Work Environment Based on Sex in Violation of Title VII

116. Plaintiff hereby incorporates each of the foregoing paragraphs as if fully set forth herein.

117. SCA engaged in intentional discrimination in violation of Title VII by subjecting Plaintiff to a hostile work environment based on his sex, including but not limited to: by allowing F.M. to harass him by making offensive sexual remarks to him and about him, by making offensive remarks referencing his sexual orientation to and about him, by threatening Plaintiff with physical harm and by engaging in other physical conduct designed to intimidate Plaintiff and to make him uncomfortable and unsafe at work.

118. SCA knew or should have known that Plaintiff was subjected to a hostile work environment but failed to take prompt and adequate remedial measures.

119. As a consequence of SCA's unlawful conduct, Plaintiff suffered emotional distress and lost wages.

120. SCA's actions proximately caused Plaintiff's injuries.

121. Plaintiff requests relief as provided in the Prayer for Relief below.

COUNT II
Retaliation in Violation of Title VII

122. Plaintiff hereby incorporates each of the foregoing paragraphs as if fully set forth herein.

123. Plaintiff had a reasonable, good faith belief that he was subjected to unlawful harassment.

124. Plaintiff reported the harassment to SCA on multiple occasions.

125. Following and due to Plaintiff's protected activity, SCA subjected Plaintiff to materially adverse employment actions.

126. As a consequence of SCA's unlawful conduct, Plaintiff suffered emotional distress and lost wages.

127. SCA's actions proximately caused Plaintiff's injuries.

128. Plaintiff requests relief as provided in the Prayer for Relief below.

COUNT III
Constructive Discharge in Violation of Title VII

129. Plaintiff hereby incorporates each of the foregoing paragraphs as if fully set forth herein.

130. Plaintiff experienced harassment and retaliation that any reasonable person in his position would perceive to be intolerable.

131. Plaintiff resigned from SCA on May 23, 2022, as a result of the intolerable work environment.

132. As a consequence of SCAs' unlawful conduct, Plaintiff suffered emotional distress and lost wages.

133. SCA's actions proximately caused Plaintiff's injuries.

134. Plaintiff requests relief as provided in the Prayer for Relief below.

COUNT IV
Hostile Work Environment Based on Sex in Violation of the CFEPA

135. Plaintiff hereby incorporates each of the foregoing paragraphs as if fully set forth herein.

136. SCA engaged in intentional discrimination in violation of CFEPA, including but not limited to Sec. 46a-60(8), by subjecting Plaintiff to a hostile work environment based on his

sex and requiring Plaintiff to move positions to avoid harassment rather than taking Corrective Action to prevent harm.

137. SCA knew or should have known that Plaintiff was subjected to a hostile work environment but failed to take prompt and adequate remedial measures.

138. As a consequence of SCA's unlawful conduct, Plaintiff suffered emotional distress and lost wages.

139. SCA's actions proximately caused Plaintiff's injuries.

140. Plaintiff requests relief as provided in the Prayer for Relief below.

COUNT V

Hostile Work Environment Based on Sexual Orientation in Violation of the CFEPA

141. Plaintiff hereby incorporates each of the foregoing paragraphs as if fully set forth herein.

142. SCA engaged in intentional discrimination in violation of CFEPA, including but not limited to Sec. 46a-81c, by subjecting Plaintiff to a hostile work environment based on his sexual orientation.

143. SCA knew or should have known that Plaintiff was subjected to a hostile work environment but failed to take prompt and adequate remedial measures.

144. As a consequence of SCA's unlawful conduct, Plaintiff suffered emotional distress and lost wages.

145. SCA's actions proximately caused Plaintiff's injuries.

146. Plaintiff requests relief as provided in the Prayer for Relief below.

COUNT VI

Retaliation in Violation of Title the CFEPA

147. Plaintiff hereby incorporates each of the foregoing paragraphs as if fully set forth herein.

148. Plaintiff had a reasonable, good faith belief that he was subjected to unlawful harassment.

149. Plaintiff reported the harassment to SCA on multiple occasions.

150. Following and due to Plaintiff's protected activity, SCA subjected Plaintiff to materially adverse employment actions.

151. As a consequence of SCA's unlawful conduct, Plaintiff suffered emotional distress and lost wages.

152. SCA's actions proximately caused Plaintiff's injuries.

153. Plaintiff requests relief as provided in the Prayer for Relief below.

COUNT VI
Constructive Discharge in Violation of the CFEFA

154. Plaintiff hereby incorporates each of the foregoing paragraphs as if fully set forth herein.

155. Plaintiff experienced harassment and retaliation that any reasonable person in his position would perceive to be intolerable.

156. Plaintiff resigned from SCA on May 23, 2022, as a result of the intolerable work environment.

157. As a consequence of SCAs' unlawful conduct, Plaintiff suffered emotional distress and lost wages.

158. SCA's actions proximately caused Plaintiff's injuries.

159. Plaintiff requests relief as provided in the Prayer for Relief below.

PRAYER FOR RELIEF

160. Plaintiff respectfully requests a judgment against SCA in his favor:

- a. Declaring that Defendant violated Title VII and the CFEPA;

- b. Awarding damages for all lost wages and benefits, including back pay and front pay) resulting from Defendant's unlawful discrimination, retaliation, and constructive discharge, and to otherwise make him whole for losses suffered as a result of unlawful employment practices;
- c. Awarding Plaintiff compensatory damages for mental and emotional injuries, distress, pain and suffering and injuries to his reputation;
- d. Awarding Plaintiff punitive damages;
- e. Awarding Plaintiff attorneys' fees, costs, disbursements, and expenses incurred in the prosecution of the action;
- f. Awarding Plaintiff pre-judgment and post-judgment interest as provided by law;
- g. Awarding any such other and further relief as this Court may deem just and equitable to remedy Defendant's unlawful employment practices.

JURY TRIAL DEMAND

161. Plaintiff requests a jury trial on all claims pursuant to Federal Rule of Civil Procedure 38(b).

Dated: April 24, 2023

Respectfully Submitted,

By: /s/ Rebecca Houlding
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Certificate of Service

This is to certify that on this 24th day of April, 2023, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

/s/ Rebecca Houlding
Rebecca Houlding