

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

<p>NERMINE GHAZY,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY,</p> <p style="text-align: center;">Defendant.</p>	<p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p>	<p>Civ. Action. No.:</p> <p>COMPLAINT</p>
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Plaintiff Nermine Ghazy, by and through the undersigned attorneys, allege as follows:

INTRODUCTION

1. Ms. Ghazy, a former employee at Defendant Rutgers University, brings this action to remedy:
 - a. Discrimination on the basis of sex and gender in violation of the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et seq.; and
 - b. Discrimination on the basis of sex and gender in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.;

JURISDICTION

2. Jurisdiction is conferred upon this Court by 28 U.S.C. § 1331, as this action seeks redress for the violation of Plaintiffs’ federally protected constitutional and civil rights.
3. Plaintiffs further invokes this Court’s supplemental jurisdiction pursuant to 28 U.S.C. § and 1367(a), over any and all claims arising under state law that are so related to the

claims within the original jurisdiction of this Court that they form part of the same case or controversy.

VENUE

4. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391, as Defendant Rutgers University is located in this judicial district, and a substantial part of the events giving rise to this claim occurred in this judicial district.

PARTIES

5. Plaintiff Nermin Ghazy is a Muslim woman residing in Kenilworth, NJ who was employed by Defendant Rutgers University.
6. Defendant Rutgers University is a state university with campuses located in Newark, New Brunswick and Camden, NJ. This action arose out of the psychology department located at 101 Warren Street, Newark, NJ.

STATEMENT OF FACTS

7. Plaintiff is a Muslim female of Egyptian descent.
8. Plaintiff began her full time employment as a PPL Laboratory Assistant with Rutgers on or around November 7, 2016.
9. Plaintiff was interviewed and hired by Professor William Graves, Assistant Professor at Rutgers' psychology department.
10. Plaintiff was employed pursuant to a written contract, which provided an employment period of 12-months. During the interview process, Prof. Graves stressed that PPL

Laboratory Assistants were expected to remain employed with the lab for a minimum of two years.

11. Plaintiff confirmed that that would not be a problem and she made plans to remain employed for two years.
12. Prof. Graves further stressed that the lab had funding to support her position for two years.
13. During her employment, Prof. Graves mentioned the two-year requirement several times and also stressed that there was sufficient funding for Plaintiff's position for two years.
14. On or around January 2017, Plaintiff became pregnant.
15. Prof. Graves received knowledge of Plaintiff's pregnancy shortly thereafter.
16. On or around July 2017, the lab received funding of \$50,000 from the Busch Biomedical Grant. The grant application for this grant specifically provided for Plaintiff's position as PPL Laboratory Assistant.
17. On or around October 5, 2017, Plaintiff received notice that her position had been eliminated due to a lack of financial resources. Plaintiff was 38 weeks pregnant at the time she received notice of her termination.
18. Prof. Graves, in his capacity as an employee of Defendant Rutgers University, made the decision to terminate Plaintiff. Upon information and belief, Defendant did not want to compensate Plaintiff for three months of maternity leave.
19. Defendant Rutgers University terminated Plaintiff solely based on the fact that she was pregnant and used the lack of funding as a pretext.

20. Defendant Rutgers University had continually stressed that the position was for two years and that the funding was secure for two years.
21. However, it terminated Plaintiff based on her pregnancy.
22. At all times relevant, Prof. Graves was acting in his capacity as an employee of Defendant Rutgers University.
23. In or around January 2018, Plaintiff, through counsel, filed a charge with EEOC. In or around July 2017, counsel requested a Right to Sue letter to proceed with the matter.
24. In or around September 2018, the EEOC issued the Right to Sue letter, but said letter was not received by Plaintiff's counsel.
25. Plaintiff's counsel follows up again with the EEOC in or around October 2018 to obtain the Right to Sue letter. On December 19, 2018, the EEOC notified Plaintiff's counsel that the Right to Sue letter had been issued as of September 19, 2018.
26. Plaintiff's counsel never received a copy nor was counsel notified of the date of the letter.
27. Plaintiff filed this matter with the court on December 19, 2018, which still meets the deadline to file after the Right to Sue letter has been issued by the EEOC.

COUNT ONE

**(Discrimination on the Basis of Sex in Violation of the New Jersey Law Against
Discrimination, N.J.S.A 10:5-1 et seq.)**

28. Plaintiff repeats and alleges the allegations contained in the preceding paragraphs of this complaint and incorporates such paragraphs by reference.
29. Plaintiff is female and a member of a protected class.

30. Defendant Rutgers University discriminated against Plaintiff and the basis of Plaintiff's sex origin in all the ways described herein including but not limited to terminated her due to her pregnancy.

31. Defendants' discriminatory conduct was malicious, and wantonly and willfully disregarded Plaintiff's rights, thereby entitling Plaintiff to compensatory and punitive damages pursuant to the New Jersey Punitive Damages Act, N.J.S.A. 2A:15-1 et seq.

COUNT TWO

(Sex Discrimination in Violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-2 et seq.)

32. Plaintiff repeats and alleges the allegations contained in the preceding paragraphs of this complaint and incorporates such paragraphs by reference.

33. Plaintiff is part of a protected class pursuant to 42 U.S.C. § 2000e-2, specifically as a female.

34. Defendant Rutgers University denied benefits to Plaintiff and subjected Plaintiff to discrimination on the basis of her sex in violation of 42 U.S.C. § 2000e-2 in all the ways described herein including but not limited to terminating her due to her pregnancy.

35. Defendants' discriminatory conduct was malicious and recklessly indifferent to Plaintiff's federally protected rights, entitling Plaintiff to compensatory and punitive damages pursuant to 42 U.S.C. § 1981a.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for a judgment as follows:

36. That the Court grant Plaintiff compensatory damages for the humiliation, emotional distress, and other damages caused by Defendant's conduct;

37. That the Court grant Plaintiff compensatory damages for the physical injuries she suffered as a result of Defendant's conduct.
38. That the court grant Plaintiff punitive damages for Defendant's intentional and malicious conduct;
39. That the Court order Attorney's fees to Plaintiffs pursuant to N.J.S.A. § 10:5-27.1; and
40. That the Court order Attorney's fees to Plaintiffs pursuant to 42 U.S.C. § 2000e-5(k) and 42 U.S.C. § 1988.

JURY DEMAND

Plaintiffs hereby demand a trial by jury on all issues in the above-entitled cause of action.

Dated: December 19, 2018

Respectfully submitted,



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