

SUPREME COURT OF THE STATE OF NEW YORK
COUTY OF QUEENS

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JANNATUL FERDOUS & WASIUR RAHMAN

Index No:

Plaintiff,

- Against -

Plaintiff Designated
Queens County as
the Venue. The basis of
of the venue is Plaintiff's
residence

DR. BARNALI HASAN, DR. MAHFUJUL HASAN,
JOHN & JANE DOE

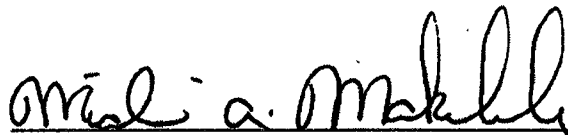
**SUMMONS
(Jury trial demande)**

Defendants.

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TO ABOVE-NAMED DEFENDANTS:

You are hereby summoned to answer the Verified Complaint in this action and to serve a copy of your Answer, or if the Verified Complaint is not served with this Summons, to serve a Notice of Appearance on Plaintiffs' attorneys within twenty (20) days after the service of this Summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Verified Complaint.

Dated: March 24th 2022
Queens, New York



Miali A. Makelele, Esq.
Attorney for the Plaintiff
550 Uniondale Avenue
Uniondale, NY 11553
Tel: (516) 279-6970
Fax: (516) 279-6971

SUPREME COURT OF THE STATE OF NEW YORK
COUTY OF QUEENS

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JANNATUL FERDOUS & WASIUR RAHMAN

Plaintiff,

Index No:

- Against -

DR. MAHFUJUL HASAN, DR. BARNALI HASAN,
JOHN & JANE DOE

**VERIFIED
COMPLAINT**

Defendants,
-----X

The Plaintiffs, JANNATUL FERDOUS & WASIUR RAHMAN, complaining of
Defendants by their attorney, Miali A. Makelele, Esq., allege upon information and belief:

PARTIES

1. Plaintiff, JANNATUL FERDOUS (Plaintiff Jannatul or just Jannatul) & WASIUR RAHMAN (Plaintiff Wasi or just Wasi) are couple and resident of Queens County and residing at 4014 Greenpoint Avenue Sunnyside NY 11104.
2. Lead Defendant DR. MAHFUJUL HASAN, (Defendant Mahfuzul or just Mahfujul) professionally a licensed practicing dentist, has practice in various places in Queens County and currently residing at 1999 Lakeville Rd. New Hyde Park, NY 11040.
3. Lead Defendant DR. BARNALI HASAN,(Defendant Barnali or just Barnali) professionally a licensed practicing physician, has practice in various places in Queens County and currently residing at 1999 Lakeville Rd. New Hyde Park, NY 11040.

4. Defendants John & Jane Doe are the names fictitious and unknown to the Plaintiff; the person or parties intended being the person or parties, if any, having or claiming the interest in or lien upon the mortgaged premises described in the verified complaint.

FACTS

5. Since February 2019, Plaintiff Jannatul Ferdous has started working for EFFICIENT MEDICAL & DENTAL CARE PC at 40-14 Greenpoint Avenue 1st Floor Sunnyside NY 11104.
6. EFFICIENT MEDICAL & DENTAL CARE PC run by Barnali Hasan, MD, and her husband Mafujul Hasan, DDS.
7. The day I started working for EFFICIENT MEDICAL & DENTAL CARE PC, I had two orientations—one with Dr. Barnali Hasan and another one with Dr. Mafujul Hasan.
8. My experience from the orientation was entirely negative as Dr. Barnali Hasan was utterly intimidating, cruel, and vicious and her husband, Dr. Mafujul Hasan, pretended as friendly, without backbone, tried to be funny. Still, I did not miss his dirty look all over my body.
9. From February 2019 until July 29th, 2021, I experienced the following as an employee:

AT WORK PLACE:

- i. I became subject to filthy looks constantly by defendant Mahfujul; who made numerous dirty proposals every single working day;

- ii. I was being touched physically with sexual intent and cruel intention;
 - iii. I was being underpaid by Dr Mahfujul Hasan & Barnai Hasan;
 - iv. I was being forced to perform duties which is entirely illegal and unethical.
 - v. I got injured at the workplace but was forced not to call 911 to get medical attention;
 - vi. As my PCP, defendant Barnali refused to prescribe for an X-Ray, MRI, or see an orthopedic surgeon.
 - vii. Now and then, defendant Mahfujul insisted I to go to our apartment while my husband (Plaintiff Wasi) was not at home;
 - viii. I was being harassed and abused physically and mentally by defendant Mahfujul and defendant Barnali.
10. Since February 2020, as of today, I have experienced the following as a tenant:
- i. Defendant Mahfujul and Barnali knocked on my apartment door with or without reason;
 - ii. Defendant Mahfujul knocked on our door almost every day, especially while my husband, plaintiff Wasi) is not at home;
 - iii. Defendant Mahfujul tried to enter the apartment forcefully as he offered money, gift, and a promising future. He was asking me to leave my husband numerous times;
 - iv. My husband got harassed physically and mentally;

- v. My seven years old daughter was injured physically and mentally;
 - vi. I was being harassed, abused, threatened, and harmed physically and mentally by both defendants.
 - vii. Both of the defendants conspired against the welfare of my husband, daughter, and me;
 - viii. Both of the Defendants forced us to live in the apartment without heat, hot water, and water supply;
 - ix. My husband, daughter, and I became the subject of a violent attack by both of the defendants.
11. As a result of Defendant's conduct, Plaintiff has sustained damages in a sum exceeding the jurisdiction of the lower courts.

FIRST CAUSE OF ACTION
(INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS)

12. Plaintiff repeats and realleges the allegations contained in all prior paragraphs as If set forth fully herein.
13. Defendant engaged in conduct toward Plaintiff that is extreme and outrageous to exceed the bounds of decency in a civilized society, namely by filing false charges of the crime of assault.
14. Defendants took all the actions with the intent to cause, or disregard for, the substantial probability of causing severe emotional distress. Defendants did cause emotional pain to Plaintiffs.
15. As a direct and proximate result of Defendant's extreme and outrageous conduct, Plaintiffs has suffered severe emotional distress.

16. Defendant's conduct was wanton, malicious, willful, and cruel, entitling Plaintiffs to an award of punitive damages.
17. Because of the foregoing, Plaintiff has been injured in an amount to be determined at trial; but not less than \$500,000.00, plus interest for which the Defendant is liable to the Plaintiff.

SECOND CAUSE OF ACTION
(MALICIOUS PROSECUTION)

18. Plaintiff repeats and realleges the allegations contained in all prior paragraphs as If set forth fully herein.
19. Plaintiff Wasi got arrested by the New York Police, who stated that Plaintiff assaulted the Defendants.
20. Defendant filed false charges against Plaintiff Wasi in which criminal proceedings were brought against him.
21. The criminal charges lacked probable cause, and there were no other charges that could be brought against Plaintiff.
22. The charges against Plaintiff were brought with malice and reckless disregard by Defendant.
23. The charges of Malicious Prosecution were brought with actual malice and by "conscious falsity" by Defendant against Plaintiff.
24. As a proximate result of Defendant's alleged conduct, Plaintiff has been damaged in an amount to be fully determined at trial. She has not been fully compensated for the payments made to Defendant(s).

THIRD CAUSE OF ACTION
(BREACH OF CONTRACT)

25. Plaintiff repeats and realleges the allegations contained in all prior paragraphs as if set forth fully herein.
26. As alleged hereinabove, Plaintiff Jannatul always performed its obligations under the Employment contract as Employee and rental agreement as a tenant. But, the defendants did not perform according to the terms.
27. Defendant also had breached numerous aspects of the employment contract, including their failure to fulfill their obligations as an employer and landlord.
28. By reason of the foregoing, Plaintiffs is entitled to an award of damages against Defendant for \$500,000, plus interest thereon.

FOURTH CAUSE OF ACTION
(FRAUD IN THE INDUCEMENT)

29. Plaintiff repeats and realleges the allegations contained in all prior paragraphs as if set forth fully herein.
30. As alleged hereinabove, to induce Plaintiffs to enter into employment and rental agreement, Defendants had lied and misrepresented to the Plaintiff regarding actual intention;
31. Defendants made these false representations to Plaintiff. Defendants knew them to be wrong; indeed, the defendant made these false representations to Plaintiff solely to misguide Plaintiff and lure her into entering the employment and rental agreement.
32. Had Plaintiff known that defendant's representations were false and fraudulent, Plaintiff never would have agreed to enter into employment and rental agreement.

- 33. As a result of the defendant's knowingly false and fraudulent misrepresentations and Plaintiff's reliance thereupon, Plaintiffs have suffered damages.
- 34. By reason of the foregoing, Plaintiff has been injured in an amount to be determined at trial but not less than \$500,000, plus interest, for which the defendant is liable to Plaintiff.

FIFTH CAUSE OF ACTION
(UNJUST ENRICHMENT)

- 36. Plaintiff repeats and realleges the allegations contained in all prior paragraphs as if set forth fully herein.
- 37. Because of their foregoing conducts, including fraudulent inducement, Plaintiff enters the employment and rental contract; but the defendant breach the Contract deliberately, failing and refusing to honor its legal and contractual obligations.
- 38. Defendant has profited and enriched themselves unjustly at the expense and to Plaintiff's detriment.
- 39. By reason of the foregoing, Plaintiff has been injured in an amount to be determined at trial but not less than \$500,000, plus interest, for which sum the defendant is liable to Plaintiff.

SIXTH CAUSE OF ACTION
(HOSTILE WORK ENVIRONMENT)

- 40. Plaintiff repeats and realleges the allegations contained in all prior paragraphs as if set forth fully herein.

- 41. Because of their foregoing conducts, including hostile work environment, plaintiff Jannatul suffered physically and mentally.
- 42. By reason of the foregoing, Plaintiff has been injured in an amount to be determined at trial but not less than \$500,000, plus interest, for which sum the defendant is liable to Plaintiff.

SEVEN CAUSE OF ACTION
(MATERIAL BREACH OF PLAINTIFFS LEASE)

- 43. Plaintiff repeats and realleges the allegations contained in all prior paragraphs as if set forth fully herein.
- 44. Defendants' conduct constitutes a material breach of Plaintiffs' lease and the implied and express warranties to perform their obligations under the lease in good faith and by fair dealing, entitling Plaintiffs to specific performance of the Lease, and/or compensatory damages, punitive damages, reasonable attorney fees, costs and reasonable disbursements, and/or equitable relief.

EIGHTH CAUSE OF ACTION
(HARASSMENT IN VIOLATION OF REAL PROPERTY LAW § 235-d (1))

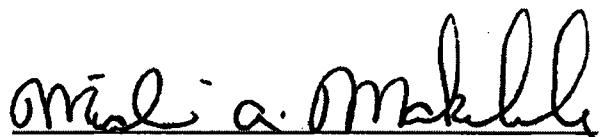
- 45. Plaintiff repeats and realleges the allegations contained in all prior paragraphs as if set forth fully herein.
- 46. Defendants have engaged in harassment of Plaintiffs in violation of the New York State Real Property Law § 235-d (1), entitling Plaintiffs to compensatory damages, punitive damages, reasonable attorney fees, costs and reasonable disbursements, and/or equitable relief.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment as follows:

- a. Plaintiff is seeking a judgment against both defendants for their ill intention (Sexual intent) in employing and renting Plaintiff Jannatul Ferdous. Defendants offered Plaintiff Jannatul Ferdous a job, and renting their apartment was just a trick by Defendant Mahfuj. It's fair to say that defendant Mahfuz wanted to have control over Plaintiff Jannatul to execute his cruel and ill intention. Plaintiff is entitled to punitive damages and all expenses out of his pocket.
- b. On all Causes of Action, Plaintiff is seeking monetary damages in an amount to be determined in a jury trial but not less than **\$500,000.00**.
- c. On all causes of actions, Plaintiff is seeking reimbursement of all costs, expenses, and fees incurred in connection with this action. Plus, interest thereon (and directing such other and further proceedings to determine the amount thereof); and granting to Plaintiff such other and further relief as the Court deems proper.
- d. Plaintiffs seek an award of damages for all other monetary or non-monetary losses. Plaintiff and their seven years old daughters suffered including, but not limited to, loss of income, reputational harm, and harm to professional reputation, in an amount to be determined at trial.

Dated: March 25th 2022
Queens County, New York.



Miali A. Makelele, Esq.
Attorney for the Plaintiff
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DR. BARNALI HASAN, DR. MAHFUJUL HASAN,
JOHN & JANE DOE

Defendants.

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JANNATUL FERDOUS
Being Duly Sworn
Deposes and Says

State of New York
Queens County

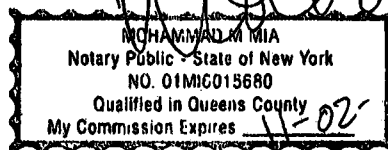
I am the intervener and over 18 years of age; and a resident of New York State. Upon information and belief, I hereby verify that I have read the within Complaint/Motion/Attorneys Affirmation and am fully familiar with its contents. The same are true and accurate to my personal knowledge, except for those matters asserted or implied in the Complaint to be upon information and belief. As to those matters, I believe them to be true.

The grounds for my statements upon information and belief are found in my Attorney's file for this action.

Date: March 24th 2022
Queens, NY 11104

Jannatul Ferdous

JANNATUL FERDOUS
40-14 Greenpoint Avenue 2nd Floor
Sunnyside NY 11104



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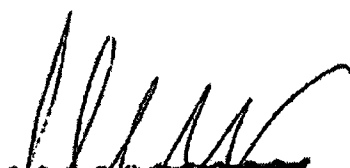
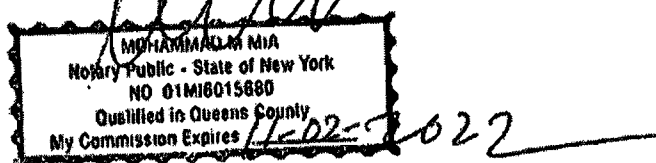
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Wasiur Rahman

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QUEENS COUNTY

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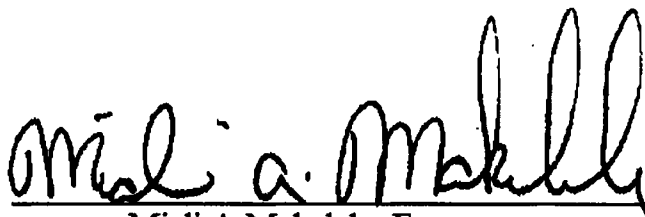
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