SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

FEDERICA PANTANA,

Plaintiff,

-against-

DAVIDOFF HUTCHER & CITRON LLP AND ELLIOT H. LUTZKER,

Defendants.

Index No.: _____

Parties Reside in New York County and Plaintiff Designates New York County as the Place of Trial

SUMMONS

Plaintiff's Address:
c/o Corva Law LLP
110 West 40th Street, Suite 1003
New York, New York 10018

TO THE ABOVE-NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the plaintiff's attorneys within 20 days after the service of this summons, exclusive of the date 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 complaint.

Dated: New York, New York
November 18, 2026

CORVA LAW LLP

Margaret Gandy

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Attorneys for Plaintiff

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FEDERICA PANTANA,

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COMPLAINT AND JURY DEMAND

Plaintiff Federica Pantana, by and through her attorneys, Corva Law LLP, alleges as follows for her complaint:

PRELIMINARY STATEMENT

1. This action arises from the unrelenting sexual harassment and discrimination that attorney Federica Pantana experienced at Davidoff Hutcher & Citron LLP ("DHC" or the "Firm") as the sole associate to Elliot H. Lutzker, a DHC partner and Chair of the Firm's Corporate Law Group. Lutzker's abuse of power was as cliché as it was unlawful: he the lecherous elder partner emboldened by the Firm's old boys' club culture, she the vulnerable young associate he isolated and exploited. With no meaningful lifeline within the Firm, her only escape was to quit, which she did in June 2025.

2. DHC is a mid-sized law firm founded in 1975 that is currently led by co-managing partners, each of whom is in their 70s. A review of DHC's website reveals that the Firm is predominantly male. Among the Firm's 25 partners, all are men save four. During Ms. Pantana's tenure, she was the only woman in the Corporate Law Group.

3. Ms. Pantana joined DHC as an associate in July 2022. Then 32 years old and ambitious, Ms. Pantana was eager to advance her career in her newly adopted home of New

York after emigrating from Italy several years earlier. Drawn to the Firm's breadth of practice and the "stellar reputation" it touted online, she was thrilled to be hired into DHC's Corporate Law Group. Once there, she quickly learned that "Group" was a misnomer. DHC's securities law practice consisted solely of Lutzker, whom she was assigned to work for exclusively.

4. As Lutzker's sole associate, Ms. Pantana was assigned to one of a few occupied offices near Lutzker in an overflow space on a floor separate and away from the rest of the Firm. This meant she had little interaction with other partners and associates, and was left alone to work one-on-one with Lutzker, an emotionally volatile man forty years her senior.

5. In his roles as partner, Chair of the Corporate Law Group, and Ms. Pantana's direct supervisor, Lutzker controlled her assignments, her billable work, her bonus, when she could work remotely, and her vacation time. Almost immediately, Lutzker began leveraging his power to pursue, degrade and harass Ms. Pantana.

6. In December 2022, months into her employment, Lutzker lured Ms. Pantana out of the office under false pretenses and then made a pass at her. Lutzker pressured Ms. Pantana to attend a performance at the Metropolitan Opera with him by presenting it as a year-end reward for her hard work. Ms. Pantana did not want to attend the performance with Lutzker, but felt compelled to accept her boss's invitation under the circumstances. At the end of the performance, without warning or invitation, Lutzker pulled Ms. Pantana to him, hugged her and kissed her on the cheek. Ms. Pantana was shocked and deeply uncomfortable. This was only the first of several times he would touch her without her consent.

7. On February 1, 2023, Lutzker pressured Ms. Pantana to attend a New York Historical Society Lecture with him, insisting that she cancel her pre-existing plans. In contemporaneous text messages to friends that day, Ms. Pantana complained about how he

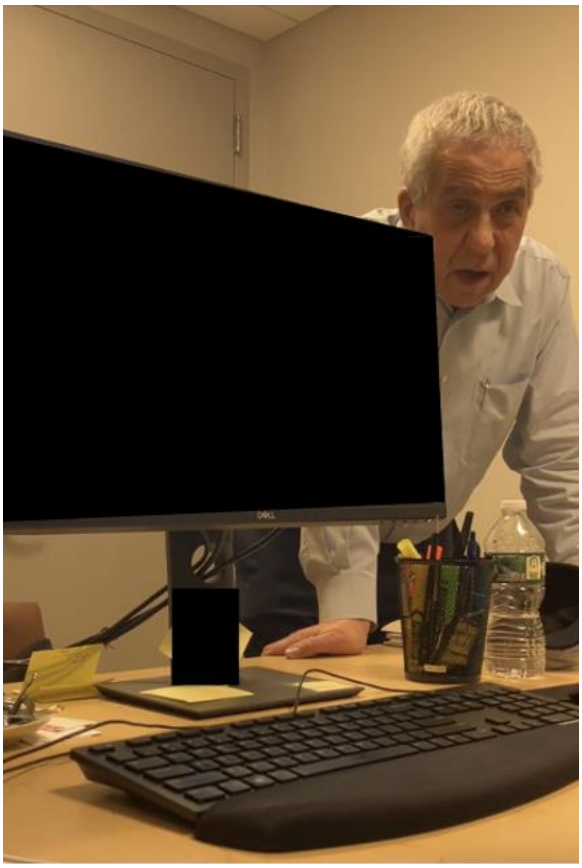
pestered her until she said yes and relayed her "distress" about having to attend the event with Lutzker because she feared he would be "touchy." Her fears proved prophetic. During the evening Lutzker put his arm around Ms. Pantana, and at the end of the night, he grabbed her and kissed her on the cheek. Distraught, she reported the violation to friends over text that night and wondered in Italian, "what the fuck have I done bad [to deserve this]?"



8. The following day, Lutzker sexually assaulted Ms. Pantana inside her DHC office. Ms. Pantana had her back to the door of her compact office as she faced the wall while packing up her laptop. Lutzker came up behind her and wrapped his arms around her, pinning her arms to her sides, and pressed his entire body against her. Immobilized, she felt his groin pressed against her backside as he leaned into her. Ms. Pantana never saw Lutzker coming, let alone consented to this intimate and assaultive embrace from her boss. That night, Ms. Pantana had an emotional breakdown on the subway during her commute home.

9. Isolated and acutely aware that Lutzker was protected internally and held every lever over her working life, Ms. Pantana began looking for a new job and did the only other thing left to protect herself: she documented. She recorded interactions, preserved his emails, notes, and clippings, and kept text messages and voice notes she contemporaneously sent to friends and family, so that what happened to her would not rest on her word against that of a more powerful senior partner.

10. Two weeks later, on Valentine's Day, Lutzker entered Ms. Pantana's office and closed the door behind him. He then positioned himself between her and the exit in an unsettling encounter that Ms. Pantana recorded. Now alone, Lutzker leaned over Ms. Pantana's desk, asserting his dominance.

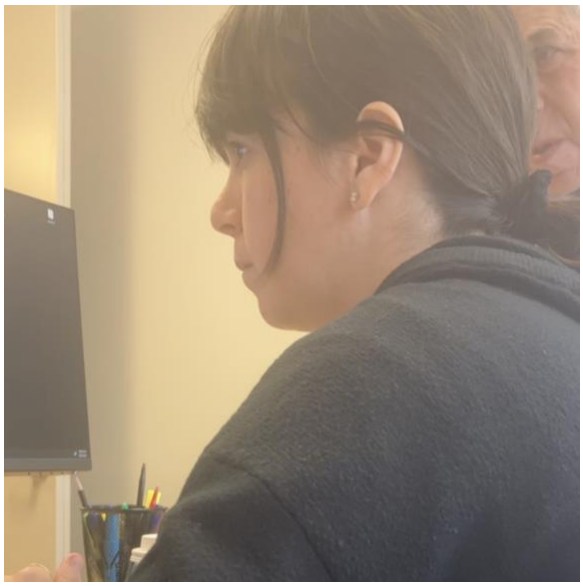


From this position, Lutzker solicited Ms. Pantana to become his paramour. He lamented to her:

> "I really thought that things were going to be different once my father-in-law died, but I haven't been to a movie theater in three years, so do you think maybe I can take you?"

Trapped and flustered, Ms. Pantana offered a litany of excuses: "I don't know, it's like, I have my family, I'm a little busy, and I don't feel well too."

11. Lutzker routinely entered Ms. Pantana's small office and imposed himself on her. Ms. Pantana's desk was positioned such that there was only one path of egress, and Lutzker routinely stood in that spot blocking her in, then proceeded to go behind her desk and hover over her while she was seated.



By repeatedly invading Ms. Pantana's personal space in this way, Lutzker left her feeling boxed in and vulnerable to his whim, including unwanted physical contact.

12. On February 22, 2023, Lutzker entered her office and positioned himself in the narrow galley between Ms. Pantana's chair and the wall. Now standing over Ms. Pantana, who was seated and blocked in behind her desk, Lutzker lasciviously asked:

"Can I get a hug for my birthday?"

Ms. Pantana laughed nervously, and then reluctantly agreed feeling she had no other option under the circumstances. Apparently satisfied, Lutzker added, "I needed that," before walking out of her office.

13. Throughout Ms. Pantana's time at DHC, she made it unmistakably clear, repeatedly, in real time, and in writing, that Lutzker's advances were unwelcome. Nonetheless, he persisted.

14. Lutzker continued to pressure her to spend time alone with him outside the office time and again - inviting her to the theater, the opera, the movies, to lunch, to dinner. Ms. Pantana, ever mindful of the power imbalance between them, was left exhausted and distressed by the need to constantly decline his invitations to protect herself from his advances, while feigning enough graciousness to avoid retaliation. She experienced Lutzker's persistence and disregard for her clear disinterest and discomfort as a form of psychological torture that compounded as the abuse continued.

15. Lutzker also conditioned Ms. Pantana's salary and work benefits on her willingness to accept his unwelcome offers to spend time with him outside the office. In the summer of 2023, he withheld approval of vacation days Ms. Pantana had requested weeks earlier for a long-planned trip to visit family in Italy, then conditioned his approval on her agreeing to another outing. To protect her planned trip, she begrudgingly agreed to attend a performance with him at the Brooklyn Academy of Music on July 27, 2023. Lutzker insisted she join him for dinner beforehand where he whined about her upcoming trip pleading, "Don't leave me," and showered her with saccharine compliments. On the subway ride home at the end of the night, Lutzker leaned into Ms. Pantana as her stop approached and asked, "Can I get a kiss goodnight?" She rejected his unwelcome advance and quickly exited the train. The next day, she had an initial meeting with a therapist.

16. This was not the only time Lutzker sought to leverage his authority to compel Ms. Pantana to spend time with him. For example, on a workday in May 2023, he implored her to attend a matinee performance with him writing, "Will you please go with me? I will excuse you from work." Lutzker, who controlled the flow of billable work available to her, later cited her insufficient billable hours as the reason she would not receive a full bonus.

17. On another occasion in January 2025, Lutzker seized on the co-managing partner's offer to reimburse Ms. Pantana the cost of a vacation home she rented because she spent the vacation performing time-sensitive work for DHC, and used it to demand a date for the opera.

18. Lutzker's repeated violations of personal and professional boundaries were punctuated by frightening displays of temper that made Ms. Pantana feel unsafe. He would abruptly hang up on Ms. Pantana and scream obscenities over the phone to others. Sometimes he was physically aggressive. On one occasion, when a female client (whom Lutzker often referred to as a "bitch") called Ms. Pantana directly, Lutzker grabbed the phone from her hand and threw it across the room in anger. Ms. Pantana emailed him that "the phone flying and shouting was lil traumatizing. I hope she doesn't drive you to that again." His response was to suggest, again, that Ms. Pantana let him take her to the opera to compensate her for having dealt with the difficult client. When she declined by email, he did not take no for an answer. He sent four more emails pressing her to say yes. On August 7, 2023, Ms. Pantana (by now at her wits end) responded:

From: Pantana, Federica <fp@dhclegal.com>
Sent: Monday, August 7, 2023 9:28 AM
To: Lutzker, Elliot H. <ehl@dhclegal.com>
Subject: Re: Notification of corrections required, filing ID: [redacted]

Elliot sorry, I thought my previous response was clear, I thanked you for evening out the other week but I can't go again this week.

The insistence is making me a little bit uncomfortable so please accept my respectful declining.

I will check Finra when I get in.

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From: Lutzker, Elliot H. <ehl@dhclegal.com>
Sent: Sunday, August 6, 2023 9:13:30 PM
To: Pantana, Federica <fp@dhclegal.com>
Subject: FW: Notification of corrections required, filing ID: [redacted]

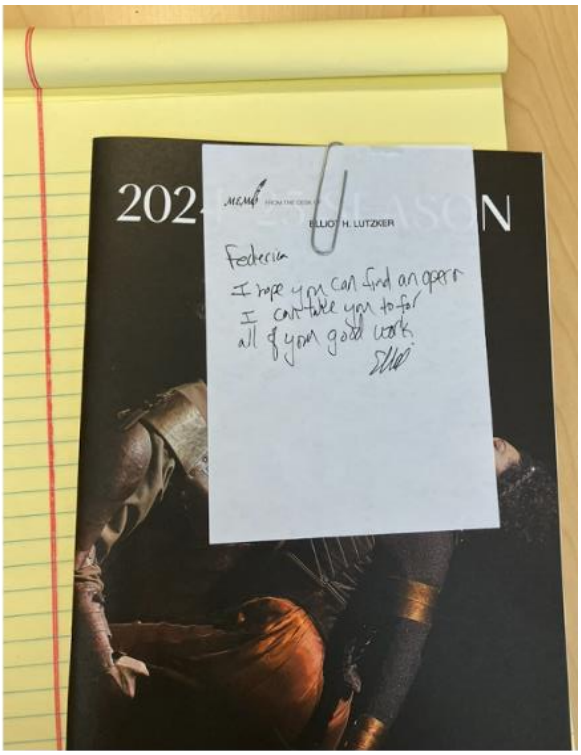
I need to buy tickets from home as the computer at work is blocked. Wed or Thurs for Goodnight Oscar?

19. Even this direct refusal (albeit carefully scripted to avoid triggering his anger) did not deter Lutzker from continuing to pursue and harass Ms. Pantana.

20. More than a year later, at 6:39 p.m. on a Friday night, October 4, 2024, Lutzker left Ms. Pantana a voicemail instructing her to let him take her to the opera:

> "Federica, I want you to pick a date when I can take you to the opera for your birthday. Okay? Try to do it this month, okay? Let me know."

21. Lutzker's Friday night voicemail was just the latest attempt in an effort that began months earlier to compel Ms. Pantana to attend an opera with him. On July 16, 2024, he left the Metropolitan Opera schedule on her desk with a handwritten note that said, "I hope you can find an opera I can take you to for all of your good work."



She did not want to attend an opera with him and did not respond.

22. He didn't let up. On September 17, 2024, he pestered her again about going to a show or opera with him, insisting "just let me know." She did not respond.

23. When Ms. Pantana ignored his voicemail attempting to reframe the invitation as a birthday gift, he did not stop. He pressed her again on October 10, 2024 and November 14, 2024, and even in the new year. By January 14, 2025, his invitation had become a demand:

> "I insist upon taking you to the opera because that is what you enjoy. So can you, just pick something out in the beginning of February, okay, and let me know."

Without responding directly, Ms. Pantana changed the subject. Lutzker's insistence continued: "Is that a yes or no?"

24. Lutzker's pursuit of Ms. Pantana took many forms and was unrelenting, occurring on a near-daily basis for three years.

25. On more than 40 occasions during her time at DHC, Lutzker left notes and tokens on Ms. Pantana's desk. Sometimes news articles with personalized post-it notes referencing her Italian heritage or a performance he wanted her to attend with him; other times gifts, including chocolates on Valentine's Day. These constant intrusions into her private office when she was not present deprived Ms. Pantana of any sense of privacy or safety in the office.

26. Lutzker used his DHC email account to harass Ms. Pantana. For example, while she was out of the office using allotted vacation days in January 2023, he wrote "I miss you." (After initially misdirecting the late-night "I miss you" message, Lutzker forwarded it to Ms. Pantana the following morning clarifying, "Message was meant for you.")

From: Lutzker, Elliot H. <ehl@dhclegal.com>
Sent: Tuesday, January 3, 2023 7:52:06 AM
To: Pantana, Federica <fp@dhclegal.com>
Subject: Fwd: [redacted] Discussion of the S-1 Draft

Message was meant for you. Enjoy and no need to work

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From: Lutzker, Elliot H. <ehl@dhclegal.com>
Sent: Monday, January 2, 2023 11:04:55 PM
To: [redacted]
Subject: Re: [redacted] - Discussion of the S-1 Draft

No I miss you by enhoy

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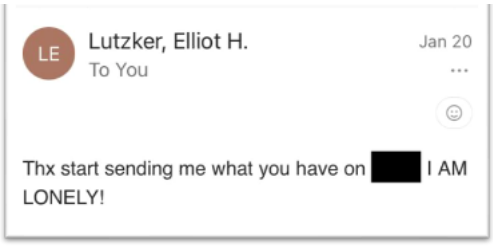
From: Pantana, Federica <fp@dhclegal.com> on behalf of [redacted]
Sent: Monday, January 2, 2023 10:17:06 PM
To: Lutzker, Elliot H. <ehl@dhclegal.com>
Subject: [redacted] - Discussion of the S-1 Draft
When: Tuesday, January 3, 2023 9:30 AM-10:30 AM.
Where: https://protect-us.mimecast.com/s/kHMoCPNK4Nt4IJ0qczH8BB?domain=us02web.zoom.us

This is tomorrow morning. Need me to join?

Weeks later, he sent her a flirtatious missive "I AM LONELY" when she worked remotely.



27. At other times, his emails were overtly sexual. When Ms. Pantana emailed that she had stepped out of the office to address a wardrobe issue, he replied, "Janet Jackson?" – a clear reference to the singer whose breast was infamously exposed in an apparent wardrobe malfunction during the 2004 Super Bowl halftime show. Lutzker's comment reveals how he sexualized and fetishized his much younger, female supervisee. In a March 27, 2024 email to a colleague about a New York State Bar committee meeting, Lutzker bragged: "I AM GETTING MY associate to join the committee. She is half my age." Another time, when Ms. Pantana emailed Lutzker–her supervisor–to report that she had fallen ill, Lutzker responded, "I hope it is not morning sickness. Only KIDDING."

From: Lutzker, Elliot H. <ehl@dhclegal.com>
Sent: Monday, May 13, 2024 2:17 PM
To: Pantana, Federica <fp@dhclegal.com>
Subject: RE: I think I

I hope it is not morning sickness. Only KIDDING. I made almost all of your [redacted] changes. Feel better

DHC

Elliot H. Lutzker
Davidoff Hutcher & Citron LLP
605 Third Ave, 34th Floor
New York, NY 10158
Direct: (646) 428-3210
Main: (212) 557-7200
Fax: (212) 286-1884
ehl@dhclegal.com

From: Pantana, Federica <fp@dhclegal.com>
Sent: Monday, May 13, 2024 2:15 PM
To: Lutzker, Elliot H. <ehl@dhclegal.com>
Subject: I think I

Had a shitty sandwich and got super nauseous
I had rush home to be sick.
Hopefully it was just that and should get better soon

As a senior partner and long-standing member of the New York bar, Lutzker's utter disregard for the law and Ms. Pantana's right to a workplace free of discrimination and harassment is particularly egregious.

28. Lutzker guarded Ms. Pantana's time jealously and obstructed her career growth. Despite Ms. Pantana's repeated requests to be included in client meetings, Lutzker iced her out by excluding her from client meetings and networking opportunities, and discouraged her from working with other partners. Lutzker also relied on Ms. Pantana to perform secretarial work; requests that she print documents for him or type up his handwritten notes were routine.

29. Lutzker was effusive about the high quality of Ms. Pantana's work. And yet, year after year, Lutzker informed Ms. Pantana that she would not receive her full bonus, purportedly due to her failure to meet billable hour goals, even though he singularly controlled her schedule and workload.

30. Lutzker's inappropriate behavior was no secret within the Firm, as he revealed his true colors in the office and in front of colleagues too. And yet, no one intervened, even though DHC's own policy required supervisors, including partners, to report and to stop ongoing harassment.

31. The abuse occurred and persisted because DHC offered no meaningful recourse. Ms. Pantana's direct requests to Lutzker–her supervisor–had no effect. Human resources ("HR") consisted of a single administrator who simultaneously served as a legal secretary to multiple attorneys. When Ms. Pantana raised Lutzker's conduct in an email that copied the HR administrator in 2023, she never responded, and Lutzker later reported to Ms. Pantana, gloating, that the HR administrator had called her email "disgusting."

32. In December 2024, Ms. Pantana contacted the HR administrator again to provide an account of Lutzker's explosive outbursts, noting his "yelling," "phone hang ups" and an incident when he "took my cellphone and threw it across my desk." Ms. Pantana told the HR administrator the toll his behavior takes on her and warned that she could not "work in a hostile

or toxic environment with unexpected anger fits." In response, Ms. Pantana was summoned to a meeting with DHC's co-founder. When she arrived for the meeting that she understood to be with one managing partner, she was surprised to see both co-managing partners were present, as was Lutzker himself. Ms. Pantana was forced without warning to confront Lutzker, who was buffered by two of his fellow partners, both men and decades her seniors. During this meeting, which Ms. Pantana recorded, one of the co-managing partners recast the situation as an issue of "communication," which he characterized as a "two-way street." He then said that Ms. Pantana needed to be more sympathetic to the stress Lutzker was facing as a partner, and directed that she be prepared to forgo working remotely in the future any time Lutzker asked. No mention was made of Lutzker's throwing of the phone. Afterward, once alone again in his office, Lutzker attacked Ms. Pantana saying that she had behaved like a "schmuck."

33. Lutzker's uncontrollable temper did not abate. In February 2025, he threw papers across her desk in another fit of anger.

34. Ms. Pantana felt unsafe and on edge at work every day. She spent an inordinate amount of her time working, and nearly 100% of that time with Lutzker. In this way, he played an outsized presence in her life. His incessant invitations and constant violation of her personal and physical boundaries compounded the harm, which began to seep into every aspect of her personal life.

35. The toll Lutzker's unrelenting abuse took was severe and is documented. Ms. Pantana developed panic attacks that began after the February 2023 assault, and suffered from insomnia, weight loss, and anxiety-induced skin-picking that left painful, bloody wounds on her scalp throughout her time at DHC. She developed a fear of being in enclosed spaces and in close proximity to others, and an aversion to physical contact with others, even close family

members; these situations trigger a panicky reaction in Ms. Pantana to this day. At times, Ms. Pantana turned to alcohol to cope with her distress, and at its worst, she experienced suicidal ideation.

36. By June 2025, the cumulative weight of Lutzker's conduct and DHC's refusal to address it left Ms. Pantana no reasonable option but to resign. She did not make the reason for her exodus a secret. Ms. Pantana told the HR administrator: "I'm leaving the Firm. You know the reason; I just can't do this anymore" and "I'm scared of telling Elliot." When the HR administrator asked what the Firm could do to get her stay, Ms. Pantana told her nothing: "Physically and mentally, I never got to this low. As I said in the meeting, it isn't even work related, it's just him." The HR administrator remarked, "I guess he didn't want to share you."

37. True to form, when Lutzker learned of Ms. Pantana's impending departure, he retaliated by threatening to withhold a referral unless she stayed longer:

"You're not taking a recommendation; I can tell you that. Giving us your short notice."

38. Ms. Pantana brings twelve causes of action under the New York State Human Rights Law ("NYSHRL"), N.Y.S. Exec. Law §§ 290 *et seq.*; the New York City Human Rights Law ("NYCHRL"), N.Y. City Admin. Code §§ 8-101 *et seq.*, New York City's Victims of Gender-Motivated Violence Protection Law ("VGMVPL"), N.Y. City Admin Code §§ 10-1101 *et seq.* She seeks compensatory damages for past and future lost earnings and for emotional and physical pain and suffering, punitive damages, and attorneys' fees and costs.

PARTIES

39. Federica Pantana is a resident of New York County, New York.

40. Davidoff Hutcher & Citron LLP is a limited liability partnership with its principal place of business at 605 Third Avenue, 34th Floor, New York, New York 10158.

41. DHC was Ms. Pantana's employer within the meaning of Executive Law § 292 and Administrative Code of the City of New York § 8-102 at all relevant times.

42. Upon information and belief, Elliot H. Lutzker is a resident of New York County, New York.

43. Lutzker exercised managerial and supervisory responsibility over Ms. Pantana. He assigned and withheld her work, controlled the volume of billable work available to her, determined whether she was included in client matters and client meetings, approved or withheld approval of her vacation and remote days, and influenced the amount of her annual bonus.

VENUE AND JURISDICTION

44. This Court has jurisdiction over the Defendants pursuant to CPLR 301 and CPLR 302 because DHC maintains its principal place of business in and does business in the State of New York, because Lutzker is domiciled in and transacts business within the State, and because the Defendants committed tortious acts within the State out of which these claims arise.

45. Venue is properly laid in New York County pursuant to CPLR 503 because plaintiff and defendants reside there and a substantial part of the events and omissions giving rise to these claims occurred in New York County. Plaintiff designates New York County as the place of trial, pursuant to CPLR 509.

FACTS

A. Lutzker Isolated Ms. Pantana and Made Himself the Gatekeeper of Her Career

46. Ms. Pantana was hired as an associate in DHC's Corporate Law Group in July 2022 and quickly learned that her role would be very narrowly defined.

47. DHC is a mid-sized New York City law firm that was founded in 1975. Its Co-Managing Partners are each in their 70s. Of the 25 partners listed on its website, all but four are men.

48. During Ms. Pantana's tenure, she was the only woman in the Corporate Law Group.

49. Ms. Pantana, then 32 years old, had emigrated from Italy several years earlier.

50. She was drawn to DHC by the reputation the Firm advertised online and was hired into what was presented as DHC's Corporate Law Group. In practice, DHC's securities practice consisted solely of Lutzker, and Ms. Pantana was assigned to work for him exclusively.

51. Lutzker is a DHC partner and the Chair of its Corporate Law Group. He was approximately forty years older than Ms. Pantana and was her direct supervisor.

52. The Firm's main offices were located on the 34th floor of the building, where there was a cafeteria and most of the attorneys and staff worked.

53. Ms. Pantana sat near Lutzker in one of the few occupied offices in the right wing of the 15th floor overflow space and had little interaction with other partners or associates.

54. Ms. Pantana's physical isolation and her limited opportunity to engage meaningfully with other colleagues created the conditions in which Lutzker's conduct went unchecked.

55. Lutzker guarded Ms. Pantana's time. Despite her repeated requests, he kept her out of client meetings and networking opportunities and discouraged her from working with other partners.

56. In or about March 2023, after Ms. Pantana emailed Lutzker that she had enjoyed a corporate deal and would be happy to do other deals like it alongside her securities work, Lutzker replied that the incoming corporate attorney preferred to do things himself, and reminded her that she was his backup for securities work.

57. In or about April 2024, another partner included Ms. Pantana on a group email to schedule a client call for a matter she was working on. Lutzker promptly called Ms. Pantana and told her not to attend.

58. When Ms. Pantana had an opportunity to originate her own client, Lutzker ignored her requests to approve the proposal, forcing her to find another partner to engage.

59. Lutzker was effusive about the high quality of Ms. Pantana's work. And yet, year after year, Lutzker informed Ms. Pantana that she would not receive her full bonus, purportedly because she had not met billable hour goals, even though he alone controlled her schedule and workload.

60. Lutzker interfered with Ms. Pantana's ability to accumulate billable hours.

61. In January 2023, he pressured her to attend a matinee performance during the workday.

62. In May 2023, Lutzker emailed Ms. Pantana and asked her to attend a Wednesday matinee with him in the event his friend could not go, and wrote: "Will you please go with me? I will excuse you from work."

63. Lutzker also regularly required Ms. Pantana to perform secretarial work. Requests that print documents or retype his handwritten comments were routine and, upon information and belief, would not have been made of a male associate. His emails to her included directives such as "Please print redline I can't do it," "please make me a copy of [redacted] contract," "Please print all docs," and "Print and bring in."

64. Lutzker understood and acknowledged that he was assigning her non-attorney work. In a recorded conversation on or about May 9, 2023, he told her he valued her services and did not want to give her paralegal work, but that the tasks were beyond the new paralegal, who did not know the transactions, and that Ms. Pantana was a quick learner.

65. To keep access to her, Lutzker repeatedly insisted that Ms. Pantana stay late or come into the office on days she was scheduled to work remotely, even when there was no specific need. Lutzker himself was in the office on those days.

66. DHC's own policy permitted Ms. Pantana to work remotely.

67. On or about May 31 and June 1, 2023, Lutzker sent Ms. Pantana, who was working remotely from outside New York City, a series of emails demanding that she return to the office for a purported emergency on a deal in which she had no involvement, writing in capital letters that he needed her as early as possible and that although they were probably not filing the next day, it needed to get done. Ms. Pantana drove approximately four hours to comply.

68. When she arrived on June 2, 2023, Lutzker told her, "There's no emergency, I'll catch up with you in a couple of minutes after you get settled in." There was no closing, and the office was otherwise empty.

69. On October 23, 2023, Lutzker emailed Ms. Pantana that she should plan to be in the office that Friday when she typically worked remotely, adding, "Then we can celebrate." Upon information and belief, Lutzker was referring to celebrating a deal closing.

B. The Unrelenting Pursuit and Sexual Assault

70. Lutzker's pursuit of Ms. Pantana began early in her tenure and continued on a near-daily basis until she resigned.

71. He repeatedly pressed her to spend time with him outside the office despite her obvious disinterest and discomfort.

72. In December 2022, Lutzker persuaded Ms. Pantana to attend a performance at the Metropolitan Opera on December 7, 2022, by presenting it as an end-of-year gesture to honor her hard work. Ms. Pantana did not want to attend the performance, but felt compelled to accept her boss's invitation.

73. At the end of that evening, without asking, Lutzker pulled Ms. Pantana to him, hugged her, and kissed her on the cheek. This physical contact was unwelcomed by Ms. Pantana.

74. On or about December 23, 2022, Lutzker forwarded Ms. Pantana tickets to a Broadway show, writing that the tickets would appear on his phone and describing them as "My gift to you." Ms. Pantana had understood that other lawyers might attend; it turned out to be the two of them.

75. On the night of January 2, 2023, when Ms. Pantana sent Lutzker a work-related email while on vacation with her family over the New Year holiday, Lutzker sent a late-night response, "I miss you," but inadvertently misdirected it to a third party. The following morning, he forwarded his response to Ms. Pantana and clarified: "Message was meant for you."

76. On January 4, 2023, in a group text message that included another DHC partner, Lutzker reacted jealously after Ms. Pantana answered the colleague's message with a heart and answered Lutzker's message with a thumbs up, asking, "Why just liked?"

77. On January 11, 2023, Lutzker took Ms. Pantana to an evening lecture and dinner that he presented as work related. He attempted to hold her hand during the event.

78. Lutzker also used his control over Ms. Pantana's working hours to punish her refusals.

79. On or about January 13, 2023, after Ms. Pantana declined Lutzker's invitations to lunch and then to a drink, Lutzker made her stop work and go home, apparently offended that she had an excuse not to go with him.

80. On Friday, January 20, 2023, when Ms. Pantana was working remotely as firm policy permitted, Lutzker emailed her, "I AM LONELY!"

81. On February 1, 2023, Lutzker pressured Ms. Pantana to attend a New York Historical Society lecture with him, insisting that she cancel her pre-existing plans. In text messages to friends that day, Ms. Pantana complained that he had pressured her until she said yes. She also relayed her "distress" about attending the event with Lutzker because she feared he would be "touchy."

82. At the end of the evening, Lutzker grabbed Ms. Pantana's arm in the subway, held her, and kissed her on the cheek. She cried on the subway on her way home. Distraught, she reported the violation to friends over text that night in Italian, "what the fuck have I done bad [to deserve this]?"

83. On February 2, 2023, Lutzker sexually assaulted Ms. Pantana at work.

84. Ms. Pantana was standing in her office with her back to the door, bending slightly to pack up her laptop, which was on the credenza.

85. Lutzker approached her surreptitiously from behind.

86. He wrapped his arms around her, pinning her arms at her sides.

87. He pressed his full body against hers.

88. He pressed his groin against her backside.

89. Ms. Pantana was pinned between the immovable office furniture in front of her and Lutzker's body behind her. She could not move away.

90. Ms. Pantana did not consent to this contact, expressly or impliedly, and would never have consented to it.

91. Lutzker's contact with Ms. Pantana's intimate parts was intentional and forcible. Upon information and belief, he undertook it for the purpose of gratifying his own sexual desire and to degrade and abuse her.

92. Ms. Pantana was left deeply distressed by the violation. She began to experience panic attacks after this assault.

93. Ms. Pantana had an emotional breakdown on the subway during her commute home that night.

94. Lutzker then mounted a weeks-long campaign to get Ms. Pantana to attend an Italian-language film with him, refusing to treat her silence as the refusal it plainly was.

95. On or about February 3, 2023, he left a copy of a New York Times film review on her desk with a handwritten note asking, "Does your mom want to see this movie with you or can I?"

96. On Saturday, February 4, 2023, Lutzker emailed her that the film had been restored and was showing in the United States for the first time with subtitles, and wrote: "See if your mom wants to see it.or [sic] I will take you."

97. On February 10, 2023, having received no response, he emailed again: "Please let me know if you are going to see the movie with your mother."

98. Undeterred by her continued silence, he wrote again on Sunday, February 12, 2023: "Would you want to go to 6pm movie Monday if we are free?"

99. Having still not received the answer he wanted, Lutzker approached Ms. Pantana in her office on Monday, February 13, 2023, and asked point blank whether they were going to the movies together. When she explained that she was having dinner with her mother, he responded incredulously, "Again? Didn't you have dinner last night?" and then added, "maybe Wednesday?"

100. The next day was Valentine's Day. Lutzker entered her office and closed the door. Alone with her in a private space, he leaned forward over her desk and said: "I wanted to explain something to you, okay? You know, I really thought that things were going to be different once my father-in-law died, but I haven't been to a movie theater in three years. So do you think maybe I can take you?"

101. Lutzker had positioned himself between Ms. Pantana and the exit, and Ms. Pantana recorded the encounter. Trapped and flustered, she offered excuses, telling him that she had her family, was a little busy, and did not feel well. Lutzker persisted. He mentioned another Broadway show he wanted to see, asked what was wrong, repeated that he wanted to see the movie, and asked about her plans for the evening.

102. Lutzker's conduct was not hidden from his colleagues. At a group lunch on or about February 22, 2023, when a colleague referenced the umbrella in his hand by remarking that he was always ready, Lutzker interjected, "you didn't mean ready in a sexual way?" Another partner brushed aside responding, "let's pretend Elliot didn't say anything."

103. Later that day, Lutzker entered Ms. Pantana's office again, walked behind her desk, and, standing in the narrow space between her chair and the wall, asked, "can I get a hug for my birthday?" After she acquiesced and he embraced her, he said, "I needed that," before walking out of her office.

104. Lutzker's invitations did not stop when Ms. Pantana refused them. On March 1, 2023, after she told him she could not attend the Italian film, he pressed further, asking whether she had plans, suggesting some other time, and stating that she was not going to take her mother because her mother had probably already seen it.

105. On March 7, 2023, referring to a lingering cough, Lutzker told Ms. Pantana that he would stay away and that there would be "no kisses."

106. On March 16, 2023, as they stood in the office hallway, Lutzker moved close to Ms. Pantana and touched her lips with his finger, without invitation.

107. That same day, Ms. Pantana drafted an email to Lutzker stating that she was willing to attend events if clients were being invited for business development as part of her duties as an attorney, but that she had repeatedly expressed that she wanted to dedicate the little time she had after work to her family and friends, and that the insistence in the invitations was making her feel uncomfortable given their frequency and her recurrent need to excuse herself politely. She did not send it, out of fear of his reaction.

108. In the summer of 2023, Lutzker made the transactional nature of his invitations explicit.

109. Ms. Pantana first requested vacation days in early June 2023 to travel to Italy in August to visit her family. Lutzker withheld approval.

110. On July 11, 2023, Lutzker finally confirmed that Ms. Pantana could use her allotted days for the trip.

111. Within hours of that conversation, Lutzker emailed Ms. Pantana asking her to reconsider a dinner invitation she had previously declined and stating that he really did appreciate her hard work.

112. Upon information and belief, Lutzker conditioned the approval he had just granted on Ms. Pantana's agreement to another outing.

113. On July 13, 2023 and again on July 23, 2023, Lutzker framed his invitations as compensation for her work, asking whether there was any way he could take her to a Broadway show and writing that he would like to show her his appreciation.

114. Fearing that Lutzker would sabotage a trip to visit her family, Ms. Pantana relented and agreed to attend a play with him on July 27, 2023.

115. Lutzker then insisted that she join him for dinner before the performance. At dinner he whined about her upcoming trip, pleading, "Don't leave me."

116. When Ms. Pantana added sugar to her coffee, Lutzker told her: "I don't think you need all that sugar, aren't you sweet enough?"

117. Following the performance, Lutzker took Ms. Pantana's subway line, grabbed and held her arm, told her that they needed to go see another show, and then, as her stop approached, leaned toward her and asked: "Can I get a kiss goodnight?"

118. Horrified, she declined and quickly exited the train.

119. Lutzker repeatedly invaded Ms. Pantana's physical space in the office as well. On or about August 9, 2023, Ms. Pantana arranged her bags behind her chair as a barricade in an effort to keep Lutzker from coming behind her desk.

120. On August 17, 2023, Lutzker mocked Ms. Pantana's accent, then told her he found it "adorable."

121. On August 22, 2023, as Ms. Pantana prepared to leave on vacation, Lutzker emailed that he had come looking to say goodbye, and asked whether, upon her return, she would let him take her to a show "not as serious as the last one."

122. On September 15, 2023, Lutzker forwarded Ms. Pantana a listing of shows and wrote about a concert, adding "Maybe you are interested." In the same period, he asked whether she had work "to keep you out of trouble."

123. On or about September 26, 2023, Lutzker left a New York Times article on Ms. Pantana's desk with a note reading, "Please let me know if I can take you back to the Met."

124. On September 27, 2023, when Ms. Pantana explained that she was already attending the opera with a friend, Lutzker responded that "well everybody wants to take you."

125. Upon information and belief, Lutzker returned to the tactic of withholding or leveraging a benefit to extract what he wanted. In December 2023, when Lutzker told Ms. Pantana that she would not receive her full bonus, he assured her that he had covered and advocated for her with the partners, and then promptly asked her to attend an opera with him.

126. Lutzker's invitations continued through 2024 and into 2025. On January 31, 2024, he pressed an invitation with the words, "I don't wanna keep asking BUT . . ."

127. On February 26, 2024, handing Ms. Pantana an article about a Metropolitan Opera production, he told her he had a problem, that no one he knew would appreciate going to the Met, and asked whether she would consider going.

128. In a March 27, 2024 email to a colleague about a New York State Bar committee meeting, Lutzker bragged: "I AM GETTING MY associate to join the committee. She is half my age."

129. Lutzker used his DHC email to make overtly sexual comments as well. On May 7, 2024, after Ms. Pantana emailed that she had to step out briefly to address a wardrobe issue, he replied, "Janet Jackson?"

130. Days later, on May 13, 2024, when Ms. Pantana emailed that she had fallen ill and had to leave the office, Lutzker wrote: "I hope it is not morning sickness. Only KIDDING."

131. On July 16, 2024, Lutzker left the Metropolitan Opera schedule on her desk with a handwritten note that said, "I hope you can find an opera I can take you to for all of your good work." She did not want to attend an opera with him and did not respond.

132. On September 17, 2024, Lutzker again pressed Ms. Pantana about going to a show or opera with him. When she tried to divert the conversation by mentioning that she was going to the philharmonic with a friend, he insisted, "just let me know," and asked about her plans for her birthday. Ms. Pantana did not respond.

133. On Friday, October 4, 2024 at 6:39 p.m., Lutzker left Ms. Pantana a voicemail directing her to pick a date when he could take her to the opera for her birthday, telling her to try to do it that month, and to let him know. He followed up with further requests on October 10, 2024.

134. On November 14, 2024, Lutzker again pressed her to attend the opera with him. She declined, saying that she was busy. He responded: "Just pick a date."

135. On January 14, 2025, Lutzker told Ms. Pantana, "I insist upon taking you to the opera because that is what you enjoy. So can you, just pick something out in the beginning of February, okay?" When Ms. Pantana changed the subject, he pressed, "Is that a yes or no?"

136. Upon information and belief, when that approach failed, Lutzker returned to the tactic of leveraging a benefit to extract what he wanted.

137. Ms. Pantana had spent much of an earlier vacation working on a time-sensitive deal. In recognition of the fact that she worked through her vacation, a co-managing partner offered to compensate her for the cost of the vacation rental home.

138. Lutzker seized on the gesture. On January 30, 2025, after referencing the reimbursement Ms. Pantana had received, he reminded her of his long-standing invitation to take her to the opera and told her not to forget it.

139. Ms. Pantana responded that she would prefer to attend the client dinner for the deal on which she had worked so hard.

140. The following day, Lutzker told Ms. Pantana that the client's dinner had occurred without her and stated, "now you have to give me a date for the opera." When she replied that she was good and thanked him, he pressed: "Is that a yes?"

141. On February 2, 2025, Lutzker emailed Ms. Pantana that, now that the client dinner she had hoped to attend had happened without her, she should pick one night starting February 24 to go to the opera for her birthday, which had passed five months earlier. On February 3, 2025, she responded: "No I am not going, thank you though for the invite."

C. Lutzker's Volatility

142. Lutzker's repeated violations of personal and professional boundaries were punctuated by displays of temper that made Ms. Pantana feel unsafe.

143. Lutzker abruptly hung up the telephone on Ms. Pantana and screamed obscenities over the phone to others.

144. On August 1, 2023, after an incident in which Lutzker grabbed Ms. Pantana's phone from her hand and threw it across her desk in anger at a female client, whom Lutzker often referred to as a "bitch," Ms. Pantana emailed him that the phone flying and shouting had been traumatizing and that she hoped the client would not drive him to that again.

145. Lutzker's response was to suggest that Ms. Pantana let him take her to a show to compensate her for having dealt with the difficult client. On August 2, 2023, he emailed that he had not had a chance to reward her with "combat pay" and would very much like to take her to a Broadway show, and asked her to let him know whether she could go the following week.

146. When Ms. Pantana declined by email on August 3, 2023, thanking him and stating that there was no need to reward her and that the play the prior week counted, Lutzker replied, "Is that a yes please FOR NEXT WEEK?"

147. He then sent four more emails pressing her to say yes, including "I take this as a yes for Good Night OSCAR DO you prefer WED OR THURS next week?"; "HAVE A GREAT WEEKEND BUT PLEASE RESPOND so I can buy tickets"; and a Sunday night message stating that he needed to buy tickets from home because the computer at work was blocked and asking, "Wed or Thurs for Goodnight Oscar?"

148. On August 7, 2023, Ms. Pantana responded in writing that she had thought her previous response was clear, thanked him for the evening out the prior week, stated that she could not go again that week, told him that his insistence was making her uncomfortable, and asked him to accept her declining.

149. Lutzker responded that he had misunderstood. He did not stop.

150. As an example, more than a year later in February 2025, Lutzker threw papers across Ms. Pantana's desk during a fit of anger.

D. Ms. Pantana Documented the Conduct Because DHC Gave Her No Other Protection

151. DHC's written policies told Ms. Pantana that the Firm was committed to providing a professional work environment free of physical, psychological, sexual, verbal, and nonverbal harassment, and that it would not tolerate such conduct.

152. Those policies recognized that harassment "can occur as a result of a single incident or a pattern of behavior where the purpose or effect is to create a hostile, offensive, or intimidating work environment."

153. Those policies recognized that sexual harassment "also occurs when a person in authority tries to trade job benefits for sexual favors," and that this "can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment."

154. Those policies identified as strictly prohibited the very conduct Lutzker engaged in, including "Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body," and "Subtle or obvious pressure for unwelcome sexual activities."

155. Those policies expressly warned that "Unlawful sexual harassment is not limited to the physical workplace itself," that "It can occur while employees are traveling for business or at employer sponsored events or parties," and that "Calls, texts, emails, and social

media usage by employees can constitute unlawful workplace harassment, even if they occur away from the workplace premises, on personal devices or during non-work hours."

156. Those policies imposed an affirmative duty on DHC's supervisors, including its partners. "All supervisors who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report such suspected sexual harassment to the Firm Administrator or a Co-Managing Partner."

157. Those policies further warned that "In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue."

158. Those policies also discouraged the very dynamic Lutzker created, stating that "Attorneys and employees under their supervision are strongly discouraged from forming romantic or sexual relationships," and that "No client, employee, or attorney has the right to subject any employee to sexual or other unlawful harassment, including requests for sexual favors, sexual advances, offensive touching, and any other unwanted verbal, graphic, conduct or communications of a sexual nature."

159. DHC's policies were merely words on paper. In practice, DHC's human resources function consisted of a single administrator who simultaneously served as a legal secretary to multiple attorneys, and the partners were untouchable.

160. To protect herself in the face of gross power imbalance and no internal controls, Ms. Pantana began contemporaneously documenting his conduct to protect herself early in 2023.

161. She preserved his emails, his voicemails, his handwritten notes, and the more than forty clippings and gifts he left on her desk.

162. She recorded workplace interactions with Lutzker so that his conduct would be captured as it occurred rather than resting on her account alone against that of a senior partner.

163. In June 2023, after Lutzker had called Ms. Pantana into the office on a day she was scheduled to work remotely for a purported emergency that never materialized, Ms. Pantana wrote to Lutzker asking that he be more considerate and copied HR on the email.

164. HR never responded to Ms. Pantana's email.

165. Instead, on or about June 22, 2023, Lutzker reported to Ms. Pantana, gloating, that the HR administrator had said it was "disgusting."

166. By relaying that comment, Lutzker communicated to Ms. Pantana that reporting his conduct through the Firm's channels was futile and would be turned against her.

167. Ms. Pantana understood from that episode that HR served the interests of the partners, not the employees they supervised. She felt isolated and unsafe.

E. DHC and Lutzker Retaliated

168. More than a year after her first attempt, on December 3, 2024, during a performance-review cycle, Ms. Pantana gave the HR administrator an account of one of Lutzker's outbursts.

169. She wrote to the HR administrator that she had been subjected that morning to multiple instances of yelling and phone hang-ups by Lutzker, that they were absolutely unwarranted and not strictly work related, and that she had also received a retaliatory comment about the fact that she had taken a single day off.

170. She explained that this was not the first time these dynamics had occurred, referencing an episode a month earlier and the episode the prior year in which Lutzker had taken her cellphone and thrown it across her desk.

171. She stated that she could not work in a hostile or toxic environment with unexpected anger fits, and that "episodes like these really take a toll on me."

172. Ms. Pantana made clear that she had already addressed the conduct with Lutzker directly and did not otherwise wish to elevate it, primarily out of fear of retaliation.

173. Her report to the HR administrator was protected activity. She was opposing conduct she reasonably and in good faith believed to be unlawful.

174. In a telephone call with the HR administrator on or about December 4, 2024, Ms. Pantana relayed that Lutzker had told her the prior year that HR had characterized her earlier complaint email in derogatory terms. HR did not deny having said it and remained silent on the point.

175. Ms. Pantana had hesitated to send her December 2024 email precisely because of that reported response.

176. Rather than investigate, DHC summoned Ms. Pantana to a meeting with DHC's co-founder.

177. When she arrived for the meeting on or about December 4, 2024, Lutzker was also present, along with two other male members of DHC's leadership.

178. DHC placed the man Ms. Pantana had just reported in the room with her, without warning, to confront her about her own report.

179. At that meeting, which Ms. Pantana recorded to protect herself, Ms. Pantana was praised for her work product, and Lutzker's misconduct was minimized and explained away by his fellow partners, who framed the problem as one of communication and a "two-way street," ignoring the inherent power imbalance. His fellow partners, all men and decades her senior, reminded her how much stress he was managing as a partner. There was no mention of Lutzker having thrown the phone. Ms. Pantana was also directed to forgo working remotely anytime Lutzker requested it.

180. After the meeting, Lutzker retaliated against Ms. Pantana by verbally accosting her, telling her that she had behaved like a "schmuck." Lutzker made this remark the following day when he and Ms. Pantana were alone again in his office.

181. That comment confirmed that Lutzker understood he faced no consequence, and that Ms. Pantana's use of the Firm's reporting channel had cost her rather than protected her.

182. On or about December 10, 2024, days after the ambush meeting, Ms. Pantana received her year-end review. Lutzker described her work product as "very good" and that she would receive a bonus, but explained that she would not receive the full bonus because she failed to hit 1,800 billable hours, even though Lutzker controlled the flow of billable work and routinely directed her to clerical tasks.

183. Lutzker's outbursts continued after the meeting. On or about February 5, 2025, he threw papers across Ms. Pantana's desk during a fit of anger.

184. Each of the acts described in this section followed Ms. Pantana's protected activity, and each would reasonably deter a person in her position from opposing discrimination or reporting harassment.

F. Constructive Discharge

185. By June 2025, the cumulative weight of Lutzker's harassment, his physical intrusions, his volatility, and DHC's refusal to meaningfully address any of it left Ms. Pantana no reasonable option but to resign.

186. Defendants deliberately created intolerable working conditions here. Lutzker's conduct was near-daily and continued for nearly three years. He escalated from unwanted invitations to unwanted touching to a sexual assault. He tied job benefits to Ms. Pantana's submission. He retaliated when she refused. And DHC, presented with her complaints, ignored the first, placed the harasser in the room to answer the second, and permitted his conduct to continue unabated.

187. Ms. Pantana's resignation was involuntary. She was forced out by conditions that a reasonable person in her position would have found intolerable.

188. Ms. Pantana did not keep the reason for her departure a secret. She told the HR administrator: "I'm leaving the Firm. You know the reason; I just can't do this anymore" and "I'm scared of telling Elliot." When the HR administrator asked what the Firm could do to get her to stay, Ms. Pantana told her nothing: "Physically and mentally, I never got to this low. As I said in the meeting, it isn't even work related, it's just him." The HR administrator remarked, "I guess he didn't want to share you."

189. Lutzker retaliated at her departure by threatening to withhold a referral if she did not remain at DHC longer, telling her: "You're not taking a recommendation; I can tell you that. Giving us your short notice."

G. The Physical, Psychological and Financial Toll

190. Lutzker's conduct, and DHC's refusal to address it, caused Ms. Pantana severe and sustained physical, psychological and financial harm.

191. Ms. Pantana felt unsafe and on edge at work every day. She spent an inordinate amount of her time working, and nearly 100% of that time with Lutzker. His incessant invitations and constant violation of her personal and physical boundaries compounded the harm, which began to seep into every aspect of her personal life.

192. Ms. Pantana experienced panic attacks. They began after the February 2023 sexual assault.

193. She lost weight from stress to the point that she had to fold her pants because they had become too big.

194. She suffered painful, bloody wounds on her scalp caused by anxiety-induced skin-picking, which recurred throughout her time at DHC and which she documented on numerous occasions between February 2023 and October 2024.

195. She experienced episodes of profuse sweating and heart palpitations at work.

196. At times, she used alcohol as a coping mechanism for the extreme distress caused by the hostility and abuse she endured at DHC.

197. Ms. Pantana's ability to perform her work was impaired. She recorded contemporaneously that it was "Its really really hard to focus," and told a friend that Lutzker put her in the condition of being unable to work.

198. She was often despondent and withdrawn. She cried on the subway after Lutzker embraced and kissed her at an evening event, and again after other encounters with him.

199. She came to dread entering the building.

200. She suffered from insomnia. On March 24, 2023, after an email exchange with Lutzker, she lost sleep and asked her father to call her because of her anxiety.

201. Lutzker's conduct took such a significant toll on Ms. Pantana's physical and mental health that she sought the support of a therapist to address the sustained psychological impact of his behavior.

202. After several sessions, Ms. Pantana paused treatment because discussing her experience was triggering worsening symptoms.

203. In a particularly severe episode of distress in February 2024, Ms. Pantana became seriously ill after ingesting alcohol but refused medical attention as she contemplated suicide due to the ongoing abuse.

204. In December 2024, Ms. Pantana contacted the therapist about resuming treatment, reporting that the situation had only gotten worse. She wrote: "I am not negative nor daring to use the word suicidal but every time I wake up thinking I have to go to the office and interact with him, I wish I did[n't] wake up. If I don't find a job within 4/6 months max I [am] going to quit anyway because the emotional damage that I put up [with] for almost two years [] just took the max toll on me and I can't bear it anymore."

205. The effects of Lutzker's assault and his repeated invasions of her personal space have been profound and lasting. Ms. Pantana continues to feel the threat of being physically violated and experiences a panicky response when in an enclosed space and when people are close to her.

206. The hypervigilance that resulted has affected her personal relationships. Ms. Pantana developed a strong aversion to physical contact of any kind, even a hug from a close family member, that continues to this day.

207. Ms. Pantana continues to receive treatment to address the ongoing manifestations of the severe emotional distress caused by the prolonged abuse she endured.

208. Lutzker's conduct also injured Ms. Pantana professionally. Despite consistently praising her work product and job performance to her and to others, he kept her career development on ice for nearly three years.

209. He gave her discrete assignments but refused to read her in on the full scope of the deals on which she worked. He limited her exposure to clients. He routinely assigned her clerical work more appropriately completed by support staff than by an experienced attorney.

210. Upon information and belief, Lutzker wanted Ms. Pantana to remain exactly where she was, isolated from her colleagues and fully dependent on him.

211. Despite her performance, Ms. Pantana never received a full bonus. According to Lutzker, this was due to her failure to bill sufficient hours. Yet he routinely had her performing clerical work and controlled the amount of billable work available to her.

212. All the while, Lutzker suggested that Ms. Pantana could eventually be made a partner if she remained at DHC.

213. Ms. Pantana was forced to quit her position at DHC due to Lutzker's abusive conduct and DHC's failure to address it.

214. Lutzker and DHC negatively impacted Ms. Pantana's career development and future prospects. Ms. Pantana joined her new employer as a lateral associate and has had to establish herself anew, making promotion to partner, and the financial boon that comes with it, a harder and more uncertain goal.

FIRST CAUSE OF ACTION
(Hostile Work Environment and Sex Discrimination Under the NYSHRL, Executive Law § 296)
(Against DHC and Lutzker)

215. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 214 above as if fully set forth herein.

216. Defendants discriminated against Ms. Pantana with sexist conduct and created a hostile work environment on the basis of her gender, in violation of the NYSHRL, N.Y. Exec. Law § 296.

217. Defendants subjected Ms. Pantana to "inferior terms, conditions or privileges of employment" and "treated [her] less well than" male employees because of her gender, in violation of the NYSHRL.

218. Lutzker subjected Ms. Pantana to harassment because of her sex, including unwanted sexual and romantic advances pressed on a near-daily basis for nearly three years; sexually charged communications sent from his DHC email account; demands for hugs and a kiss goodnight; the touching of her hand, leg, arm, and lips without her consent; a sexual assault in her own office; the closed-door solicitation on Valentine's Day; more than forty personalized notes, clippings, and gifts left on her desk; prying questions about her health and personal life; and the repeated invasion of her physical space at her desk.

219. This conduct was unwelcome. Ms. Pantana made that unmistakably clear, repeatedly, in real time, and in writing, including in her August 7, 2023 email telling Lutzker that his insistence was making her uncomfortable and asking him to accept her declining, and in her February 3, 2025 email stating, "No I am not going, thank you though for the invite."

220. Lutzker isolated Ms. Pantana from clients and other partners, assigned her secretarial work that was not, and would not have been, demanded of a male associate, controlled and suppressed the billable work available to her and then cited her hours to reduce her bonus, and made her continued access to ordinary benefits of employment contingent on tolerating his advances.

221. Lutzker is individually liable for this conduct. He is a partner of DHC, the Chair of its Corporate Law Group, and Ms. Pantana's direct supervisor, and he personally engaged in the discriminatory conduct alleged.

222. DHC is liable for Lutzker's conduct under the NYSHRL because Lutzker is a high-level managerial employee who served as the Firm's proxy. DHC is also liable because it knew or should have known of Lutzker's conduct and failed to take remedial action. Lutzker used the Firm's email system to send his solicitations and sexual comments; his conduct was observed by other DHC partners, including at the group lunch at which he asked whether a colleague meant "ready in a sexual way" and in the group text in which he objected to her reaction to a colleague's message; Ms. Pantana copied the HR administrator on a complaint in June 2023 that went unanswered; and she reported his conduct again to the HR administrator in December 2024, after which the Firm placed him in the room with her and minimized his conduct.

223. As a direct and proximate result of Defendants' unlawful conduct, Ms. Pantana has suffered and continues to suffer past and future lost earnings, emotional distress, physical injury, pain and suffering, and damage to her professional reputation and career, in amounts to be determined at trial.

224. Defendants' conduct in violation of the NYSHRL was intentional, with malice and/or showed deliberate, willful, wanton, and reckless indifference to Ms. Pantana's statutory rights, warranting punitive damages.

SECOND CAUSE OF ACTION
(Quid Pro Quo Sexual Harassment Under the NYSHRL, Executive Law § 296)
(Against DHC and Lutzker)

225. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 214 above as if fully set forth herein.

226. Defendants discriminated against Ms. Pantana with quid pro quo sexual harassment by linking employment decisions affecting her compensation and the terms, conditions and privileges of her employment to unwelcome sexual conduct, in violation of the NYSHRL.

227. Lutzker possessed authority over the terms, conditions, and privileges of Ms. Pantana's employment, including her vacation approval, her remote work, her assignments, her client exposure, her billable opportunities, and her bonus.

228. Lutzker linked the exercise of that authority to Ms. Pantana's submission to his unwelcome advances.

229. Lutzker withheld approval of vacation days Ms. Pantana had requested in early June 2023, confirmed the approval on July 11, 2023, and within hours emailed her to reconsider dinner with him, conditioning the benefit on another outing.

230. Lutzker offered to take her to a Broadway show as "combat pay" for having handled a difficult client, and sent at least five emails pressing for a yes.

231. He wrote, "Will you please go with me? I will excuse you from work," expressly trading her work obligations for his company.

232. He told her that she would not receive her full bonus and, in the same conversation, asked her to attend an opera with him.

233. He invoked the Firm's reimbursement of her vacation-home costs in January 2025 to press his opera invitation, and, after she was excluded from the client dinner she had asked to attend, told her, "now you have to give me a date for the opera."

234. He controlled the flow of billable work available to Ms. Pantana, directed her to clerical tasks, and then cited her billable hours as the reason for reducing her bonus.

235. When Ms. Pantana refused, Lutzker imposed detriments. He made her stop work and go home in January 2023 after she declined lunch and a drink; and he threatened to withhold a professional referral when she resigned.

236. Lutzker is individually liable for this conduct as Ms. Pantana's supervisor and as the Chair of the Corporate Law Group.

237. DHC is liable for Lutzker's conduct because he was a high-level managerial employee acting as the Firm's proxy, and because the Firm knew or should have known of his conduct and failed to remediate it.

238. As a direct and proximate result of Defendants' unlawful conduct, Ms. Pantana has been damaged in amounts to be determined at trial, including past and future lost earnings, lost bonus compensation, emotional distress, and pain and suffering.

239. Defendants' conduct in violation of the NYSHRL was intentional, with malice, and/or showed deliberate, willful, wanton, and reckless indifference to Ms. Pantana's statutory rights, warranting punitive damages.

THIRD CAUSE OF ACTION
(Retaliation Under the NYSHRL, Executive Law § 296(7))
(Against DHC and Lutzker)

240. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 214 above as if fully set forth herein.

241. Ms. Pantana engaged in protected activity. She opposed Lutzker's advances repeatedly and in writing, including in her August 7, 2023 email telling him that his insistence was making her uncomfortable and asking him to accept her declining. She complained to Lutzker in June 2023 and copied the HR administrator. She reported Lutzker's conduct to the HR administrator in December 2024 and reiterated her account in a telephone call with the HR administrator on or about December 4, 2024.

242. DHC and Lutzker were aware of that protected activity. Lutzker was the recipient of her written refusals and of the email copying the HR administrator, and he expressly acknowledged the HR complaint when he reported to her that the administrator had called it "disgusting." The Firm's leadership convened a meeting in response to her December 2024 report.

243. In response, Ms. Pantana suffered adverse actions because of her protected activity, including: Lutzker's relaying of the derogatory HR characterization of her complaint; the December 2024 ambush meeting at which she was confronted by the very person she had reported; Lutzker's post-meeting statement that she had behaved like a "schmuck"; his continued outbursts, including throwing papers across her desk in February 2025; his withholding of

billable work followed by reduction of her bonus; his interference with her schedule after she refused his invitations; and his threat to withhold a professional referral when she resigned.

244. The temporal proximity between Ms. Pantana's protected activity and these adverse actions establishes a causal connection. Lutzker called her a "schmuck" immediately after the meeting convened in response to her report. Her year-end review, with its limited bonus, followed within days of the ambush meeting.

245. DHC is liable for the retaliatory acts of Lutzker, its partner, Corporate Law Group Chair, and Ms. Pantana's supervisor, and for its own retaliatory conduct in structuring the December 2024 meeting as it did and in failing to investigate or remediate.

246. As a direct and proximate result of Defendants' retaliation, Ms. Pantana has been damaged in amounts to be determined at trial.

247. Defendants' conduct in violation of the NYSHRL was intentional, with malice, and/or showed deliberate, willful, wanton, and reckless indifference to Ms. Pantana's statutory rights, warranting punitive damages.

FOURTH CAUSE OF ACTION
(Constructive Discharge Under the NYSHRL, Executive Law § 296)
(Against DHC and Lutzker)

248. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 214 above as if fully set forth herein.

249. Defendants deliberately created working conditions so intolerable that a reasonable person in Ms. Pantana's position would have felt compelled to resign in violation of the NYSHRL.

250. Those conditions included nearly three years of near-daily unwelcome sexual pursuit; a sexual assault in Ms. Pantana's own office; repeated unwanted physical contact and the routine invasion of her physical space at her desk; the conditioning of vacation,

reimbursement, and bonus on her submission; her isolation from clients and colleagues; her demotion to clerical work; Lutzker's episodes of explosive anger, including throwing her phone across her desk and throwing papers at her; the futility of the Firm's reporting channel; the December 2024 ambush meeting; and Lutzker's retaliatory conduct thereafter.

251. DHC and Lutzker knew of these conditions and permitted them to persist. DHC's own policy required supervisors to report and stop harassment, and obligated the Firm to investigate promptly and take effective corrective action. It did neither.

252. In June 2025, Ms. Pantana resigned. Her resignation was not voluntary. She was forced to quit.

253. As a direct and proximate result of her constructive discharge, Ms. Pantana has suffered past and future lost earnings, lost career advancement, emotional distress, and pain and suffering, in amounts to be determined at trial.

254. Defendants' conduct in violation of the NYSHRL was intentional, with malice, and/or showed deliberate, willful, wanton, and reckless indifference to Ms. Pantana's statutory rights, warranting punitive damages.

FIFTH CAUSE OF ACTION
(Aiding and Abetting Under the NYSHRL, Executive Law § 296(6))
(Against Lutzker)

255. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 214 above as if fully set forth herein.

256. Defendant Lutzker discriminated against Ms. Pantana in violation of the NYSHRL by aiding and abetting the unlawful discriminatory practices alleged in the First through Fourth Causes of Action.

257. He personally participated in and carried out the harassment, the quid pro quo conduct, the retaliation, and the creation of the intolerable conditions that forced Ms. Pantana's resignation.

258. As a supervisor, partner and the Chair of the Corporate Law Group, Lutzker was obligated under DHC's own policy to report and to stop harassment. He instead perpetrated it, and took no remedial measure of any kind.

259. Lutzker further aided the Firm's failure to act by discouraging Ms. Pantana from using the Firm's reporting channel, including by reporting to her that the HR administrator had called her complaint "disgusting," and by retaliating against her with the "schmuck" comment after the Firm's leadership meeting.

260. As a direct and proximate result of Lutzker's conduct, Ms. Pantana has been damaged in amounts to be determined at trial.

261. Lutzker's conduct in violation of the NYSHRL was intentional, with malice, and/or showed deliberate, willful, wanton, and reckless indifference to Ms. Pantana's statutory rights, warranting punitive damages.

SIXTH CAUSE OF ACTION
(Gender Discrimination and Hostile Work Environment Under the NYCHRL, Administrative Code of the City of New York § 8-107(1))
(Against DHC and Lutzker)

262. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 214 above as if fully set forth herein.

263. Defendants discriminated against Ms. Pantana with sexist conduct and created a hostile work environment for her on the basis of her gender, in violation of the NYCHRL, N.Y.C. Admin Code §§ 8-107(1) *et seq.*

264. Defendants "treated [Ms. Pantana] less well than other employees because of her gender" in violation of the NYCHRL.

265. Lutzker pursued her sexually on a near-daily basis for nearly three years, touched her without consent, assaulted her in her office, sent her sexually charged messages from the Firm's email system, demanded hugs and a kiss, left more than forty personal notes and gifts on her desk, questioned her about her health and personal life, and repeatedly positioned himself over her body at her desk.

266. Lutzker also treated her less well in the ordinary terms of her employment because of her gender. He assigned her secretarial work that was not, and would not have been, demanded of a male associate, excluded her from client meetings and client dinners, blocked her from working with other partners, suppressed her billable opportunities and then used her hours against her at bonus time, and dangled partnership while ensuring she remained dependent on him.

267. None of this conduct constitutes a petty slight or trivial inconvenience.

268. Lutzker is individually liable under § 8-107(1)(a) because he personally engaged in the discriminatory conduct and exercised supervisory authority over Ms. Pantana.

269. DHC is liable for Lutzker's conduct as set forth in the Eleventh Cause of Action.

270. As a direct and proximate result of Defendants' unlawful conduct, Ms. Pantana has been damaged in amounts to be determined at trial, including past and future lost earnings, emotional distress, physical injury, and pain and suffering, together with attorneys' fees and costs pursuant to Administrative Code of the City of New York § 8-502.

271. Defendants' conduct warrants punitive damages under the NYCHRL because Defendants engaged in discrimination with willful or wanton negligence, or recklessness, or a conscious disregard of Ms. Pantana's rights, or conduct so reckless as to amount to such disregard.

272. Ms. Pantana has not filed any other civil or administrative action alleging an unlawful discriminatory practice with respect to the allegations of discrimination which are the subject of this Complaint. Pursuant to N.Y.C. Admin. Code § 8-502(c), Ms. Pantana is serving a copy of this Complaint on the New York City Commission on Human Rights and the Corporation Counsel of the City of New York.

SEVENTH CAUSE OF ACTION
(Quid Pro Quo Sexual Harassment Under the NYCHRL, Administrative Code of the City of New York § 8-107)
(Against DHC and Lutzker)

273. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 214 above as if fully set forth herein.

274. Defendants discriminated against Ms. Pantana with quid pro quo sexual harassment by explicitly and tacitly conditioning the terms, conditions, and privileges of Ms. Pantana's employment on her submission to Lutzker's sexual and romantic overtures, in violation of the NYCHRL.

275. Lutzker linked her approved vacation, her expense reimbursement, her work assignments, her client exposure, and her bonus to her willingness to spend private time with him, and imposed detriments when she refused.

276. Lutzker is individually liable under the NYCHRL for this conduct.

277. DHC is liable for Lutzker's conduct as set forth in the Eleventh Cause of Action.

278. As a direct and proximate result of Defendants' unlawful conduct, Ms. Pantana has been damaged in amounts to be determined at trial, together with attorneys' fees and costs pursuant to Administrative Code of the City of New York § 8-502.

279. Defendants' conduct warrants punitive damages under the NYCHRL because Defendants engaged in discrimination with willful or wanton negligence, or recklessness, or a conscious disregard of Ms. Pantana's rights, or conduct so reckless as to amount to such disregard.

280. Ms. Pantana has not filed any other civil or administrative action alleging an unlawful discriminatory practice with respect to the allegations of discrimination which are the subject of this Complaint. Pursuant to N.Y.C. Admin. Code § 8-502(c), Ms. Pantana is serving a copy of this Complaint on the New York City Commission on Human Rights and the Corporation Counsel of the City of New York.

EIGHTH CAUSE OF ACTION
(Retaliation Under the NYCHRL,
Administrative Code of the City of New York § 8-107(7))
(Against DHC and Lutzker)

281. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 214 above as if fully set forth herein.

282. Defendants discriminated against Ms. Pantana by retaliating against her because she opposed practices forbidden under the NYCHRL and the retaliatory conduct was reasonably likely to deter Ms. Pantana from engaging in protected activity.

283. Ms. Pantana engaged in protected activity by rejecting Lutzker's advances repeatedly and in writing, including in her August 7, 2023 email telling him that his insistence was making her uncomfortable and asking him to accept her declining. She complained to Lutzker in June 2023 and copied HR. She reported Lutzker's conduct to HR in

December 2024 and reiterated her account in a telephone call with the HR administrator on or about December 4, 2024.

284. Defendants retaliated against Ms. Pantana's engagement in protected activity, including: the HR administrator's silent non-response to her June 2023 complaint; Lutzker's report that the HR administrator had called her complaint "disgusting"; the December 2024 meeting at which the Firm seated Lutzker across from her and his fellow partners minimized his conduct; Lutzker's "schmuck" comment immediately afterward; his continued outbursts, including throwing papers across her desk in February 2025; his suppression of her billable work and the reduction of her bonus; the late nights and schedule interference imposed after her refusals; and his threat to withhold a referral upon her resignation.

285. That conduct did deter Ms. Pantana. She refrained from elevating Lutzker's conduct for more than a year after June 2023 because of the response her complaint had drawn, and she hesitated before sending her December 2024 email for the same reason.

286. Lutzker is individually liable under the NYCHRL for this conduct.

287. DHC is liable for the retaliatory conduct of Lutzker, its partner and agent, and for its own retaliatory conduct.

288. As a direct and proximate result of Defendants' retaliation, Ms. Pantana has been damaged in amounts to be determined at trial, together with attorneys' fees and costs pursuant to Administrative Code of the City of New York § 8-502.

289. Defendants' conduct warrants punitive damages under the NYCHRL because Defendants engaged in discrimination with willful or wanton negligence, or recklessness, or a conscious disregard of Ms. Pantana's rights, or conduct so reckless as to amount to such disregard.

290. Ms. Pantana has not filed any other civil or administrative action alleging an unlawful discriminatory practice with respect to the allegations of discrimination which are the subject of this Complaint. Pursuant to N.Y.C. Admin. Code § 8-502(c), Ms. Pantana is serving a copy of this Complaint on the New York City Commission on Human Rights and the Corporation Counsel of the City of New York.

NINTH CAUSE OF ACTION
(Constructive Discharge Under the NYCHRL, Administrative Code of the City of New York § 8-107)
(Against DHC and Lutzker)

291. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 214 above as if fully set forth herein.

292. Defendants deliberately created working conditions so intolerable that a reasonable person in Ms. Pantana's position would have felt compelled to resign, in violation of the NYCHRL.

293. The conditions Defendants created include the sexual assault, the near-daily pursuit, the unwanted touching, the quid pro quo demands, the professional marginalization, Lutzker's volatile and frightening conduct, the futility of internal reporting, the ambush meeting, and the retaliation that followed.

294. Ms. Pantana's June 2025 resignation was involuntary and was the direct result of those conditions.

295. As a direct and proximate result of her constructive discharge, Ms. Pantana has suffered past and future lost earnings, lost career advancement, emotional distress, and pain and suffering, in amounts to be determined at trial, together with attorneys' fees and costs pursuant to Administrative Code of the City of New York § 8-502.

296. Defendants' conduct warrants punitive damages under the NYCHRL because Defendants engaged in discrimination with willful or wanton negligence, or recklessness, or a conscious disregard of Ms. Pantana's rights, or conduct so reckless as to amount to such disregard.

297. Ms. Pantana has not filed any other civil or administrative action alleging an unlawful discriminatory practice with respect to the allegations of discrimination which are the subject of this Complaint. Pursuant to N.Y.C. Admin. Code § 8-502(c), Ms. Pantana is serving a copy of this Complaint on the New York City Commission on Human Rights and the Corporation Counsel of the City of New York.

TENTH CAUSE OF ACTION
(Aiding and Abetting Under the NYCHRL,
Administrative Code of the City of New York § 8-107(6))
(Against Lutzker)

298. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 214 above as if fully set forth herein.

299. Defendant Lutzker discriminated against Ms. Pantana in violation of the NYCHRL by aiding and abetting the unlawful discriminatory practices alleged in the Sixth through Ninth Causes of Action, and aided and abetted DHC's violations of the NYCHRL.

300. He personally perpetrated the harassment, the quid pro quo conduct, and the retaliation. As a supervisor charged under the Firm's own policy with reporting and stopping harassment, he instead concealed and perpetuated it, and he discouraged Ms. Pantana from invoking the Firm's reporting channel.

301. As a direct and proximate result of Lutzker's conduct, Ms. Pantana has been damaged in amounts to be determined at trial, together with attorneys' fees and costs pursuant to Administrative Code of the City of New York § 8-502.

302. Lutzker's conduct warrants punitive damages under the NYCHRL because Lutzker engaged in discrimination with willful or wanton negligence, or recklessness, or a conscious disregard of Ms. Pantana's rights, or conduct so reckless as to amount to such disregard.

303. Ms. Pantana has not filed any other civil or administrative action alleging an unlawful discriminatory practice with respect to the allegations of discrimination which are the subject of this Complaint. Pursuant to N.Y.C. Admin. Code § 8-502(c), Ms. Pantana is serving a copy of this Complaint on the New York City Commission on Human Rights and the Corporation Counsel of the City of New York.

ELEVENTH CAUSE OF ACTION
(Employer Liability Under the NYCHRL,
Administrative Code of the City of New York § 8-107(13))
(Against DHC)

304. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 214 above as if fully set forth herein.

305. Administrative Code of the City of New York § 8-107(13)(b) provides that an employer shall be liable for an unlawful discriminatory practice based upon the conduct of an employee or agent where the employee or agent exercised managerial or supervisory responsibility.

306. Section 8-107(13)(b) imposes strict liability on the employer for the discriminatory conduct of its managers and supervisors.

307. Lutzker exercised managerial and supervisory responsibility over Ms. Pantana. He was a partner of DHC, the Chair of its Corporate Law Group, and her direct supervisor, and he controlled her assignments, her billable work, her client exposure, her vacation and remote days, and her bonus.

308. DHC is therefore strictly liable for the unlawful discriminatory practices Lutzker committed, as alleged in the Sixth through Ninth Causes of Action.

309. Independent of strict liability, and upon information and belief, DHC knew or should have known of Lutzker's conduct and acquiesced in it. Lutzker's solicitations and sexual comments were sent through the Firm's own email system; his conduct was witnessed by other DHC partners; Ms. Pantana copied the HR administrator on a complaint in June 2023 that drew no response; and the Firm's leadership responded to her December 2024 report by seating her across from her harasser and minimizing what he had done.

310. DHC also failed to implement the policies it had written. Its handbook required supervisors, including partners, to report harassment they received information about, observed, or suspected, and required the Firm to conduct a prompt and thorough investigation whenever management received a complaint or otherwise knew of possible sexual harassment. DHC did neither.

311. As a direct and proximate result of DHC's liability for Lutzker's conduct, Ms. Pantana has been damaged in amounts to be determined at trial, together with attorneys' fees and costs pursuant to Administrative Code of the City of New York § 8-502.

312. DHC's conduct warrants punitive damages under the NYCHRL because DHC engaged in discrimination with willful or wanton negligence, or recklessness, or a conscious disregard of Ms. Pantana's rights, or conduct so reckless as to amount to such disregard.

313. Ms. Pantana has not filed any other civil or administrative action alleging an unlawful discriminatory practice with respect to the allegations of discrimination which are the subject of this Complaint. Pursuant to N.Y.C. Admin. Code § 8-502(c), Ms. Pantana is

serving a copy of this Complaint on the New York City Commission on Human Rights and the Corporation Counsel of the City of New York.

TWELFTH CAUSE OF ACTION
(Victims of Gender-Motivated Violence Protection Law, Administrative Code of the City of New York § 10-1104)
(Against Lutzker and DHC)

314. Plaintiff repeats and realleges each and every allegation set forth in paragraphs 1 through 214 above as if fully set forth herein.

315. Administrative Code of the City of New York § 10-1104 provides that any person claiming to be injured by a party who commits, directs, enables, participates in, or conspires in the commission of a crime of violence motivated by gender has a cause of action against such party in any court of competent jurisdiction.

316. Administrative Code of the City of New York § 10-1103 defines a "crime of violence" as an act or series of acts that would constitute a misdemeanor or felony against the person as defined in state or federal law, or that would constitute a misdemeanor or felony against property as defined in state or federal law if the conduct presents a serious risk of physical injury to another, whether or not those acts have actually resulted in criminal charges, prosecution, or conviction. A "crime of violence motivated by gender" is a crime of violence committed because of gender or on the basis of gender, and due, at least in part, to an animus based on the victim's gender. *See Breest v. Haggis*, 180 A.D.3d 83, 85 (1st Dept 2019).

317. Lutzker committed a crime of violence against Ms. Pantana. In February 2023, he approached her from behind in her office, wrapped his arms around her, pinned her arms at her sides, pressed his full body against hers, and pressed his groin against her backside, trapping her against the credenza so that she could not move away.

318. That conduct would constitute forcible touching under Penal Law § 130.52. Lutzker intentionally and for no legitimate purpose forcibly touched his sexual and other intimate parts to Ms. Pantana's sexual and other intimate parts without her express or implied consent, for the purpose of degrading and abusing her and for the purpose of gratifying his sexual desire.

319. That conduct would also constitute sexual abuse in the third degree under Penal Law § 130.55. Lutzker subjected Ms. Pantana to sexual contact, namely the touching of her sexual and other intimate parts for the purpose of gratifying his sexual desire, without her consent, whether directly or through clothing.

320. Lutzker's crime of violence was committed because of and on the basis of Ms. Pantana's gender, and was due at least in part to an animus based on her gender.

321. Without consent, sexual acts such as those alleged here are a violation of the victim's bodily autonomy and an expression of the perpetrator's contempt for that autonomy. Malice or ill will based on gender is apparent from the alleged commission of the act itself. Animus inheres where consent is absent. *See Breest*, 180 A.D.3d at 94.

322. Gender animus is further established here by the concrete, gendered course of conduct in which the February 2023 assault occurred and which it punctuated.

323. That course of conduct includes Lutzker's sexualized messages to Ms. Pantana from the Firm's email system, among them "I miss you," "I AM LONELY!," "Janet Jackson?," referencing the exposure of a woman's breast, and "I hope it is not morning sickness. Only KIDDING," a remark directed at her reproductive capacity.

324. It includes his demands for physical intimacy: "can I get a hug for my birthday?"; "Can I get a kiss goodnight?"; his statement while she was ill that he would stay away and there would be "no kisses"; his closed-door statement that he had thought things would be different once his father-in-law died and his request to take her out; and his plea at dinner, "Don't leave me."

325. It includes his other non-consensual touching of her body: the touching of her lips with his finger in the office hallway; the touching of her hand and leg in a dark theater; the grabbing and holding of her arm; the unrequested hug and kiss on the cheek after the opera; and his repeated positioning of his body over hers at her desk.

326. It includes his sexual remark in front of colleagues, asking whether a colleague had meant "ready in a sexual way," which prompted another partner to say, "let's pretend Elliot didn't say anything."

327. Taken together with the assault itself, these facts establish that Lutzker's crime of violence was motivated by gender and by animus based on Ms. Pantana's gender.

328. DHC is liable under § 10-1104 because it enabled and participated in the commission of Lutzker's crime of violence motivated by gender.

329. DHC enabled the crime by placing Ms. Pantana, a young female associate, in physical isolation as the sole associate supporting Lutzker's practice on an overflow floor, with little contact with other partners or associates, and by leaving that arrangement unsupervised.

330. DHC enabled the crime by permitting Lutzker to monopolize the time of a female associate decades his junior without oversight of any kind.

331. DHC enabled the crime by furnishing Lutzker the instrumentalities he used to pursue Ms. Pantana, including the Firm email account from which he sent his solicitations and sexually inappropriate remarks, and by failing to monitor that system notwithstanding its stated right to do so.

332. DHC enabled the crime by failing to train or supervise Lutzker, notwithstanding a written policy that identified as strictly prohibited the exact categories of conduct he engaged in, including touching, kissing, hugging, grabbing, and brushing against another employee's body, and subtle or obvious pressure for unwelcome sexual activities.

333. DHC enabled the crime by maintaining no credible reporting structure. Its human resources function consisted of a single administrator. Ms. Pantana's June 2023 complaint copying HR went unanswered, and Lutzker was permitted to report back to her that the administrator had called it "disgusting."

334. DHC participated in and ratified the conduct when, in December 2024, it responded to Ms. Pantana's report by placing Lutzker in the room with her, allowing his fellow partners to minimize his misconduct, and imposing no consequence, after which Lutzker called her a "schmuck" and his conduct continued.

335. Lutzker's conduct was no secret at DHC. He revealed his conduct in the office and in front of colleagues, including partners, and no one intervened, notwithstanding the Firm's own policy requiring supervisors to report and to stop ongoing harassment.

336. Upon information and belief, Lutzker's assault of Ms. Pantana was possible because of DHC's failure to train and supervise, the inaction of the partners who observed his conduct firsthand, and the inaction of the HR administrator.

337. As a direct and proximate result of Lutzker's crime of violence motivated by gender and DHC's enabling of and participation in it, Ms. Pantana has suffered and continues to suffer physical injury, panic attacks, severe emotional distress, loss of bodily autonomy, an enduring aversion to physical contact, and economic loss, in amounts to be determined at trial.

338. Ms. Pantana is entitled to compensatory and punitive damages, injunctive and declaratory relief, and attorneys' fees and costs pursuant to Administrative Code of the City of New York § 10-1104.

JURY DEMAND

339. Plaintiff demands a trial by jury.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests judgment against Defendants as follows:

a. Compensatory damages in an amount to be determined at trial;

b. Punitive damages in an amount to be determined at trial;

c. Reasonable attorneys' fees, costs and disbursements; and

d. Such other and further relief as this Court deems just and equitable.

Dated: November 18, 2026
New York, New York

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