

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

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PATRICE LATAILLADE,

Index No.

Plaintiff,

SUMMONS

- against -

Plaintiff designates New York  
County as the basis for venue.

MARC JACOBS INTERNATIONAL LLC; LOUIS  
VUITTON MOET HENNESSY INC.; AND ROBERT  
DUFFY,

The basis of venue is CPLR  
§ 503.

Defendants.

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TO THE ABOVE-NAMED DEFENDANTS:

You are hereby summoned and required to serve upon the plaintiff's attorney an answer to the complaint in this action within twenty (20) days after the service of this summons and complaint, exclusive of the day of service, or within thirty (30) days after service is complete if this summons and complaint is not personally delivered to you within the State of New York.

In case of your failure to answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York  
March 28, 2011

VLADECK, WALDMAN, ELIAS &  
ENGELHARD, P.C.

By: *Anne Vladeck*

Anne C. Vladeck  
Debra L. Raskin  
Attorneys for Plaintiff  
1501 Broadway, Suite 800  
New York, New York 10036  
(212) 403-7300

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

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PATRICE LATAILLADE,

Index No.

Plaintiff,

VERIFIED COMPLAINT

- against -

PLAINTIFF DEMANDS  
A TRIAL BY JURY

MARC JACOBS INTERNATIONAL LLC; LOUIS  
VUITTON MOET HENNESSY INC.; AND ROBERT  
DUFFY,

Defendants.

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Plaintiff Patrice Lataillade ("Lataillade" or "plaintiff"), by his attorneys, Vladeck, Waldman, Elias & Engelhard, P.C., complaining of defendants Marc Jacobs International LLC ("MJJ"); Louis Vuitton Moet Hennessy Inc. ("LVMH"), and Robert Duffy (collectively "defendants"), alleges as follows:

NATURE OF CLAIMS

1. Lataillade was subjected to a discriminatory environment offensive to him and others and was fired in retaliation for objecting to that environment at MJJ, one of LVMH's brands. The intentional nature of LVMH's failure to prevent discrimination and retaliation is consistent with its pattern of weighing public reaction before punishing biased conduct. Only after the public outcry about anti-Semitic and racist comments by its representatives has LVMH tried to distance itself from such remarks.

2. Accordingly, this action is brought to remedy discrimination on the basis of sex in the terms and conditions of employment, and retaliation for opposition to unlawful employment practices, in violation of the New York State Human Rights Law, §296 *et seq.* (the

"State Law") and the Administrative Code of the City of New York, §8-107 et seq. (the "City Law"). Plaintiff seeks lost wages, compensatory and punitive damages, and other appropriate legal relief.

#### PARTIES

3. Plaintiff Lataillade is a citizen of France. He was employed by defendants from May 1996 through September 7, 2010, when his employment was unlawfully terminated.

4. Defendant Louis Vuitton Moet Hennessy Inc. is an international group, which owns, in whole or in part, more than 50 luxury brands, of which Marc Jacobs International LLC is one.

5. Defendant Marc Jacobs International LLC is a limited liability company organized under the laws of the State of Delaware. MJI is an employer within the meaning of the State Law and City Law, and is in the business of fashion design of apparel, leather goods and other accessories.

6. Defendant Robert Duffy ("Duffy") is the President of MJI, and upon information and belief, a citizen of New York.

7. Venue is proper in New York County because the defendants reside in New York County. In addition, most of the events giving rise to this action occurred in New York County.

#### FACTUAL ALLEGATIONS

8. Lataillade began his employment with LVMH in May 1996. He began his tenure there as a Business Controller for Louis Vuitton Malletier, an LVMH owned business in Paris; in 1998 became the Chief Financial Officer ("CFO") for Louis Vuitton Italy and LVMH

Fashion Group in Milan, and in 2001 came to New York as Vice President International Finance for Donna Karan, another LVMH owned business.

9. In November 2002, plaintiff became the CFO for MJI and in 2006 was promoted to Chief Operating Officer ("COO").

10. Throughout his 14 year tenure plaintiff received consistently outstanding reviews. He was identified as a "high potential" employee for years, including 2010, the year in which he was fired.

11. Over the years, Lataillade received numerous salary increases, bonuses and promotions. Plaintiff's compensation package was approximately \$1 million per year at the time he was fired. Plaintiff was employee of LVMH performing duties for MJI.

12. Marc Jacobs and Robert Duffy each are part-owners of MJI and employees of LVMH performing duties for MJI in the United States and Louis Vuitton Malletier in France.

#### Hostile Environment

13. Duffy has behaved as if he has no obligation to follow LVMH's rules of conduct or the law. He uses company funds for personal expenses and does not censor what he does or says.

14. There have been sexual harassment cases threatened or brought against defendants based on Duffy's conduct. Because Duffy (correctly) believed that he would not be punished for his conduct, it grew increasingly worse.

15. Examples of Duffy's conduct which created a hostile work environment include his displaying gay pornography in the office and requiring employees to look at it; his production and dissemination of a book which included photos of MJI staff in sexual positions or

nude; his requirement that an MJI store employee perform a pole dance for him; his use of a nude photograph for a billboard advertisement; use of a photograph of a nude man on Twitter and his oft-repeated comments about or references to sex in the office.

16. Despite his repeated inappropriate comments and conduct, LVMH refused even to attempt to stop him. While a sexual harassment policy was drafted in January 2010, it was not promulgated by the Human Resources department because of a concern that it would anger Duffy. Upon information and belief, the policy has still not been disseminated.

17. Plaintiff complained about Duffy's behavior and requested, on numerous occasions, that Duffy's creation of a sexually charged workplace be stopped. Lataillade personally complained to the CEO and the Human Resources Director of MJI and the LVMH General Counsel about Duffy, but nothing was done. Indeed, plaintiff learned in response to a complaint about Duffy by a young female employee, the General Counsel told her that she needed a "thicker skin" to work at MJI and a male employee who complained was told to "go home early and have a drink."

18. As Duffy's conduct escalated, so did plaintiff's complaints. Duffy responded in emails and verbally with anger at plaintiff for complaining and threatened plaintiff's continued employment.

19. Plaintiff requested that the lawyers he supervised send an email to the CEO of MJI and the general counsel of LVMH summarizing the legal situation and the hostile environment created by Robert Duffy. Within less than a week of this email, on September 3, 2010, plaintiff was fired. Plaintiff's dismissal was in response to his complaints. Upon information and belief, Duffy told other employees that he took "credit" for the termination of plaintiff's employment.

20. In his termination meeting, plaintiff was told he was being fired for "cause" pursuant to his employment contract. The "charges" against him were not only not grounds for termination, but the offer of a severance package on its face is inconsistent with a "cause" termination.

#### FIRST CAUSE OF ACTION

##### State Law - Sex Discrimination (Against All Defendants)

21. Plaintiff repeats and realleges paragraphs 1-20 as if fully set forth herein.

22. By the acts and practices described above, including but not limited to creating a hostile work environment, defendants discriminated against plaintiff in the terms and conditions of his employment on the basis of sex in violation of the State Law.

23. Defendants MJI and LVMH are liable under the State Law as plaintiff's "employer" and Duffy is liable as an aider and abettor of the discrimination against plaintiff.

24. Plaintiff is now suffering and will continue to suffer monetary damages and damages for mental anguish and humiliation as a result of defendants' discriminatory acts.

#### SECOND CAUSE OF ACTION

##### State Law - Retaliation (Against All Defendants)

25. Plaintiff repeats and realleges paragraphs 1-24 as if fully set forth herein.

26. By the acts and practices described above, defendants retaliated against plaintiff in the terms and conditions of his employment for opposing unlawful employment practices, in violation of the State Law.

27. Defendants MJI and LVMH are liable under the State Law as plaintiff's "employer" and Duffy is also liable as an aider and abettor of the retaliation against plaintiff.

28. Plaintiff is now suffering and will continue to suffer monetary damages and damages for mental anguish and humiliation as a result of defendants' retaliatory acts.

### THIRD CAUSE OF ACTION

#### City Law - Sex Discrimination (Against All Defendants)

29. Plaintiff repeats and realleges paragraphs 1-28 as if fully set forth herein.

30. By the acts and practices described above, including but not limited to creating a hostile work environment, defendants discriminated against plaintiff in the terms and conditions of his employment in violation of the City Law.

31. Defendants MJI and LVMH are liable under the City Law as plaintiff's "employer" and Duffy is also liable as an aider and abettor of the discrimination against plaintiff.

32. Defendants acted intentionally and with malice and/or reckless indifference to plaintiff's statutory rights.

33. Plaintiff is now suffering and will continue to suffer monetary damages and damages for mental anguish and humiliation as a result of defendants' discriminatory acts.

### FOURTH CAUSE OF ACTION

#### City Law - Retaliation (Against All Defendants)

34. Plaintiff repeats and realleges paragraphs 1-33 as if fully set forth herein.

35. By the acts and practices described above, defendants retaliated against plaintiff in the terms and conditions of his employment for opposing unlawful employment practices, in violation of the City Law.

36. Defendants MJI and LVMH are liable under the City Law as plaintiff's "employer" and Duffy is also liable as an aider and abettor of the retaliation against plaintiff.

37. Defendants acted intentionally and with malice and/or reckless indifference to plaintiff's statutory rights.

38. Plaintiff is now suffering and will continue to suffer monetary damages and damages for mental anguish and humiliation as a result of defendants' retaliatory acts.

PRAYER FOR RELIEF

WHEREFORE, plaintiff respectfully requests that this Court enter an award:

(a) declaring the acts and practices complained of herein are in violation of the State Law, City Law and New York common law;

(b) directing defendants to make him whole for all earnings he would have received but for defendants' discriminatory and retaliatory treatment, including, but not limited to, wages, bonuses, equity interests, pension and other lost benefits;

(c) directing defendants to pay plaintiff compensatory damages, including damages for emotional distress, humiliation, and pain and suffering;

(d) directing defendants to pay plaintiff additional amounts as punitive damages;

(e) awarding plaintiff such interest as is allowed by law, and damages for any adverse tax consequences stemming from an award;

(i) awarding plaintiff his reasonable attorneys' fees and costs; and

(j) granting such other and further relief as the Court deems necessary and proper.

DEMAND FOR TRIAL BY JURY

Pursuant to CPLR 4102, plaintiff demands a trial by jury in this action.

Dated: New York, New York  
March 28, 2011

VLADECK, WALDMAN, ELIAS  
& ENGELHARD, P.C.

By: *Anne C. Vladeck*  
Anne C. Vladeck  
Debra L. Raskin  
Attorneys for Plaintiff  
1501 Broadway, Suite 800  
New York, New York 10036  
(212) 403-7300

VERIFICATION

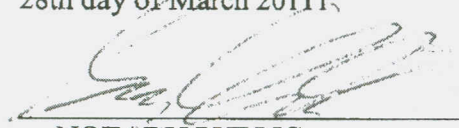
STATE OF NEW YORK    )  
                                  ) ss.:  
COUNTY OF NEW YORK )

PATRICE LATAILLADE, being duly sworn, deposes and says:

I am the plaintiff in the above-entitled action. I have read the foregoing Summons and Verified Complaint and know the contents thereof; the same is true to my knowledge, except as to the matters stated to be alleged upon information and belief, and as to those matters I believe them to be true.

  
\_\_\_\_\_  
PATRICE LATAILLADE

Sworn to before me this  
28th day of March 2011,

  
\_\_\_\_\_  
NOTARY PUBLIC

**GREGORY S CHIARELLO**  
Notary Public, State of New York  
No. 02CH6227964  
Qualified in King County  
My Commission Expires September 7, 2014