

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST
And IMRAN A. JAIRAM

Plaintiffs'

Complaint

Jury Trial Demand

-against-

THE CITY OF NEW YORK; EMMANUEL GONZALEZ, as Deputy Inspector, Commanding Officer, 72nd Precinct; WILLIAM MEYER, as Special Operations Lieutenant, 72nd Precinct; JASON BOLGGER, as Lieutenant, 72nd Precinct; THOMAS REDMOND, as Sergeant, 72nd Precinct; WILLIAM HERNANDEZ, as Sergeant, 72nd Precinct; CHRISTOPHER SHEA, as Sergeant, 72nd Precinct; UMAR CHEEMA, as Police Officer, 72nd Precinct; PETER P. CIAPPA, II, as Police Officer, 72nd Precinct; NAOMI TATIS, as Police Officer, 72nd Precinct; CHAD IVERSON, as Police Officer, 72nd Precinct; JOSE RUIZ, as Police Officer, 72nd Precinct; JOHN LATTANZIO, as Police Officer, 72nd Precinct; ROMAN RASHEVSKIY, as Police Officer, 72nd Precinct; LORENZO FRAGOSO, as Police Officer, 72nd Precinct; VITALIY IONASHKO, as Police Officer, 72nd Precinct; CAITLIN MANNEY, as Police Officer, 72nd Precinct; ALEXANDR TILAN, as Police Officer, 72nd Precinct; BABAR ISHMEET, as Police Officer, 72nd Precinct each sued in their Official and Individual capacities and VINCENT G. BRADLEY, as Chairman, New York State Liquor Authority; LILY M. FAN, as Commissioner, New York State Liquor Authority; GREELEY FORD, as Commissioner and CHARLES A. STRAVALLE, as investigator, New York State Liquor Authority each sued in their Individual capacities

Defendants'

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Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A.

JAIRAM files this federal complaint against Defendants' THE CITY OF NEW YORK;

EMMANUEL GONZALEZ; WILLIAM MEYER; JASON BOLGER; THOMAS REDMOND;

WILLIAM HERNANDEZ; CHRISTOPHER SHEA; UMAR CHEEMA; PETER P. CIAPPA, II;

NAOMI TATIS; CHAD IVERSON; JOSE RUIZ; JOHN LATTANZIO; ROMAN RASHEVSKIY; LORENZO FRAGOSO; VITALIY IONASHKO; CAITLIN MANNEY; ALEXANDR TILAN and BABAR ISHMEET in conspiracy with Defendants' VINCENT G. BRADLEY; LILY M. FAN; GREELEY FORD and CHARLES A. STRAVALLE, alleging that:

PLAINTIFFS'

1. Plaintiff KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST, is a domestic limited liability corporation legally operating under the laws of the State of New York, and at all relevant times operated as an entertainment business 225 47th Street Brooklyn, N.Y. 11220.

2. Plaintiff IMRAN A. JAIRAM is the principal owner of KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and self-identifies as Guyanese.

DEFENDANT S'

3. Defendant THE CITY OF NEW YORK is a municipal corporation organized under the laws of the State of New York.

4. Defendant EMMANUEL GONZALEZ, as Deputy Inspector, Commanding Officer, 72nd Precinct.

5. Defendant WILLIAM MEYER, as Special Operations Lieutenant, 72nd Precinct.

6. Defendant JASON BOLGGER, as Lieutenant, 72nd Precinct.

7. Defendant THOMAS REDMOND, as Sergeant, 72nd Precinct.

8. Defendant WILLIAM HERNANDEZ, as Sergeant, 72nd Precinct.

9. Defendant CHRISTOPHER SHEA, as Sergeant, 72nd Precinct.

10. Defendant UMAR CHEEMA, as Police Officer, 72nd Precinct.

11. Defendant PETER P. CIAPPA, II, as Police Officer, 72nd Precinct.

12. Defendant NAOMI TATIS, as Police Officer, 72nd Precinct.
13. Defendant CHAD IVERSON, as Police Officer, 72nd Precinct.
14. Defendant JOSE RUIZ, as Police Officer, 72nd Precinct.
15. Defendant JOHN LATTANZIO, as Police Officer, 72nd Precinct.
16. Defendant ROMAN RASHEVSKIY, as Police Officer, 72nd Precinct.
17. Defendant LORENZO FRAGOSO, as Police Officer, 72nd Precinct.
18. Defendant VITALIY IONASHKO, as Police Officer, 72nd Precinct.
19. Defendant CAITLIN MANNEY, as Police Officer, 72nd Precinct.
20. Defendant ALEXANDR TILAN, as Police Officer, 72nd Precinct.
21. Defendant BABAR ISHMEET, as Police Officer, 72nd Precinct.
22. Defendant VINCENT G. BRADLEY, as Chairman, New York State Liquor

Authority.

23. Defendant LILY M. FAN, as Commissioner, New York State Liquor Authority.
24. Defendant GREELEY FORD, as Commissioner, New York State Liquor

Authority.

25. Defendant CHARLES A. STRAVALLE, as Investigator, New York State Liquor

Authority.

BACKGROUND

26. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges prior to October 2014, Red Leopard Lounge, LLC d/b/a Jaguars 3 operated an entertainment business with an On Premises (OP) Liquor License for 225 47th Street Brooklyn, N.Y. 11220.

27. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and

IMRAN A. JAIRAM allege Red Leopard Lounge, LLC d/b/a Jaguars 3 was owned and managed by Caucasian males.

28. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege Red Leopard Lounge, LLC d/b/a Jaguars 3' target market was working class Caucasian males.

29. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege while in business, Defendants' THE CITY OF NEW YORK and CHARLES A. STRAVALLE rarely if ever issued 'false' violations, 'false' summonses, engaged in 'false' arrests, legally baseless stop and frisks, 'unlawful' Business Inspections and other unlawful selective enforcement activities based upon the race and/or national origin of the business owners, patrons and other stakeholders at Red Leopard Lounge, LLC d/b/a Jaguars 3.

30. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege 225 47th Street Brooklyn, N.Y. 11220, is located within Defendant THE CITY OF NEW YORK Brooklyn Community Board No.: 7, encompassing the neighborhoods of Sunset Park and Windsor Terrace, zip codes 11215, 11220 and 11232.

31. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege according to Defendant THE CITY OF NEW YORK'S data, Brooklyn Community Board No.: 7, the population is estimated to be 152.6k residents.

32. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege according to Defendant THE CITY OF NEW YORK'S data, Brooklyn Community Board No.: 7, the population demographics (percentages) includes: 22.0 White (Non-Hispanic), 2.6 Black (Non-Hispanic), 31.6 Asian (Non-Hispanic), 1.8 Other (Non-Hispanic) and 42.0 Hispanic (Of any race).

33. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege according to Defendant THE CITY OF NEW YORK'S data, Brooklyn Community Board No.: 7, 225 47th Street is located within an Industrial Business Zone.

34. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege after performing some market research, the decision was made to invest in 225 47th Street Brooklyn, N.Y. 11220.

35. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges the focus was to capture a significant segment of the underserved target market primarily persons of color culturally connected to the hip-hop community with more than \$500 billion in discretionary income to spend upon entertainment.

36. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges the underserved target market includes celebrities from the sports, media and entertainment industries.

37. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege on or about August 6, 2013, there was a public filing within the New York State Department of State Division of Corporations to establish the domestic limited liability company.

38. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege on or about September 30, 2013, there was a public filing within the New York State Liquor Authority to establish On-Premises (OP) Liquor Licenses for 225 47th Street Brooklyn, N.Y. 11220.

39. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and

IMRAN A. JAIRAM alleges during the times periods, modifications were made to 225 47th Street Brooklyn, N.Y. 11220.

40. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges from January 1, 2011 through May 20, 2018, according to the New York State Liquor Authority's website, the SLA issued and managed within zip code 11215, 622 licenses of all types including 309 OP or On Premises.

41. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges from January 1, 2011 through May 20, 2018, according to the New York State Liquor Authority's website, the SLA issued and managed within zip code 11220, 431 licenses of all types including 109 OP or On Premises.

42. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges from January 1, 2011 through May 20, 2018, according to the New York State Liquor Authority's website, the SLA issued and managed within zip code 11232, 209 licenses of all types including 80 OP or On Premises.

43. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges, according to the New York State Liquor Authority's website, there's no data to establish the license holder's race and/or national origin.

44. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges, according to the New York State Liquor Authority's website, there is no data to evaluate selective enforcement due to the license holder's race and/or national origin.

45. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges, according to the New York State Liquor Authority's website, there

is no data to evaluate SLA fines and other penalties due to the license holder's race and/or national origin.

46. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that in or around October 2014, they opened for business.

47. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege shortly thereafter Defendant THE CITY OF NEW YORK through Defendants' EMMANUEL GONZALEZ; WILLIAM MEYER and CHARLES A. STRAVALLE began the campaign of harassment to close the business due to the race and/or national origin of the business owner, its patrons and other stakeholders.

48. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that Defendant THE CITY OF NEW YORK through Defendants' EMMANUEL GONZALEZ; WILLIAM MEYER and CHARLES A. STRAVALLE subjected the business owners, its patrons and other stakeholders to unlawful selective enforcement activities despite a previous ruling in Sulkowska v. City of New York, et al., 129 F.Supp. 2d 274 (S.D.N.Y. January 24, 2001).

49. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that despite the ruling in Sulkowska, Defendant THE CITY OF NEW YORK continue unlawful selective enforcement activities citywide based upon the race and/or national origin of the On Premises (OP) license holder.

50. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that despite the ruling in Sulkowska, Defendant THE CITY OF NEW YORK continue unlawful selective enforcement activities citywide based upon the race and/or national origin of the business owners, its patrons and other stakeholders.

51. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that in or around November 2016, they discontinued a business relationship with Elite Investigations Ltd.

52. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that shortly thereafter, 'false' allegations filed with the NYPD Internal Affairs Bureau claiming they were paying off the police for protection.

53. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that shortly thereafter Defendants' THE CITY OF NEW YORK; EMMANUEL GONZALEZ; WILLIAM MEYER; JASON BOLGER; THOMAS REDMOND; WILLIAM HERNANDEZ; CHRISTOPHER SHEA; UMAR CHEEMA; PETER P. CIAPPA, II; NAOMI TATIS; CHAD IVERSON; JOSE RUIZ; JOHN LATTANZIO; ROMAN RASHEVSKIY; LORENZO FRAGOSO; VITALIY IONASHKO; CAITLIN MANNEY; ALEXANDR TILAN and BABAR ISHMEET in conspiracy with Defendant CHARLES A. STRAVALLE began issuing 'false' violations, 'false' summonses, engaged in 'false' arrests, legally baseless stop and frisks, 'unlawful' Business Inspections and other unlawful selective enforcement activities based upon the race and/or national origin of the business owner, its patrons and other stakeholders.

54. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that Defendants' THE CITY OF NEW YORK; EMMANUEL GONZALEZ; WILLIAM MEYER; JASON BOLGER; THOMAS REDMOND; WILLIAM HERNANDEZ; CHRISTOPHER SHEA; UMAR CHEEMA; PETER P. CIAPPA, II; NAOMI TATIS; CHAD IVERSON; JOSE RUIZ; JOHN LATTANZIO; ROMAN RASHEVSKIY; LORENZO FRAGOSO; VITALIY IONASHKO; CAITLIN MANNEY; ALEXANDR TILAN

and BABAR ISHMEET in conspiracy with Defendant CHARLES A. STRAVALLE' S actions were designed to drive them out of business.

55. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that throughout this time, they filed several complaints about the unlawful selective enforcement activities with Defendant THE CITY OF NEW YORK, New York State Governor Andrew M. Cuomo, New York State Attorney General's Office, Mayor Bill de Blasio and NYPD Internal Affairs Bureau.

56. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that according to the Notice of Pleading dated April 21, 2017, they were served by the New York State Liquor Authority with a notice of violations dated from November 6, 2016, through April 17, 2017.

57. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege that the Notice of Pleading were based upon the unlawful selective enforcement actions of Defendants' THE CITY OF NEW YORK; EMMANUEL GONZALEZ; WILLIAM MEYER; JASON BOLGER; THOMAS REDMOND; WILLIAM HERNANDEZ; CHRISTOPHER SHEA; UMAR CHEEMA; PETER P. CIAPPA, II; NAOMI TATIS; CHAD IVERSON; JOSE RUIZ; JOHN LATTANZIO; ROMAN RASHEVSKIY; LORENZO FRAGOSO; VITALIY IONASHKO; CAITLIN MANNEY; ALEXANDR TILAN and BABAR ISHMEET in conspiracy with Defendant CHARLES A. STRAVALLE.

58. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege that Defendants' VINCENT G. BRADLEY; LILY M. FAN and GREELEY FORD scheduled an administrative hearing within the New York State Liquor Authority commencing on May 17, 2017, to adjudicate these charges.

59. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege that according to the recommendation of Administrative Law Judge Craig Porges, the New York State Liquor Authority served them with an amended notice of pleadings dated September 12, 2017, listing notice of violations dated from November 6, 2016, through June 4, 2017.

60. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege that Defendants' VINCENT G. BRADLEY; LILY M. FAN and GREELEY FORD scheduled an administrative hearing within the New York State Liquor Authority commencing on October 31, 2017, to adjudicate these charges.

61. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege that throughout this time, Defendant EMMANUEL GONZALEZ attempted to secure several personal 'benefits' from them including 11 'free' roundtrip tickets on charter flights to Puerto Rico and a generator for family member or friend Dr. Oscar Caban Badillo, MD 486 Ave Victoria Aguadilla, PR 00603.

62. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that on or about October 1, 2017, they sponsored a hurricane relief fund raising event to benefit the people of Puerto Rico.

63. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that on or about October 4, 2017, while still taking selective enforcement actions against them, Defendant EMMANUEL GONZALEZ requested that they deliver a generator for family member or friend Dr. Oscar Caban Badillo, MD 486 Ave Victoria Aguadilla, PR 00603.

64. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and

IMRAN A. JAIRAM considered but DENIED Defendant EMMANUEL GONZALEZ'S request to deliver a generator for family member or friend Dr. Oscar Caban Badillo, MD 486 Ave Victoria Aguadilla, PR 00603.

65. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that shortly thereafter, while still taking selective enforcement actions against them, Defendant EMMANUEL GONZALEZ requested 11 'free' roundtrip tickets on charter flights to Puerto Rico, a fair market value of approximately \$80k.

66. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM considered Defendant EMMANUEL GONZALEZ'S request and connected him via conference call to a well-known artist.

67. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM considered but DENIED Defendant EMMANUEL GONZALEZ'S for 11 'free' roundtrip tickets on charter flights to Puerto Rico.

68. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege that according to the recommendation of Administrative Law Judge Craig Porges, on October 31, 2017, the New York State Liquor Authority started receiving 'evidence' against them.

69. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege that simultaneously, on October 31, 2017, nearly a century after its passage during the height of Prohibition, New York City's antiquated Cabaret Law has been repealed.

70. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege that according to the statutory history, the Cabaret Law enacted in

1926 authorized the government to patrol speakeasies, bars, clubs and restaurants which prohibited social dancing without a Cabaret License throughout the city.

71. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege that prior to its repeal, throughout the city there were only 97 cabaret license holders out of approximately 25,000 bars, clubs and restaurants.

72. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege that historically, cabaret licenses were notoriously expensive and time-consuming to obtain.

73. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege that the applicant, were subjected to a great deal of government scrutiny, including fingerprinting and registering of all employees.

74. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege that unfortunately, known as the 'Black Law' an analysis of the language clearly indicates the cabaret law banned certain music, such as brass and wind instruments, that were associated with jazz music and the Black culture.

75. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege that according to the recommendation of Administrative Law Judge Craig Porges, on December 11, 2017, the New York State Liquor Authority started receiving 'evidence' against them.

76. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM simultaneously, on December 11, 2017, according to the recommendation of Administrative Law Judge Craig Porges, the New York State Liquor Authority received 'evidence' against them regarding becoming a 'focal point for police attention' and 'failing to

exercise adequate supervision' over the conduct of the licensed business.

77. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM subsequently, according to the recommendation of Administrative Law Judge Craig Porges, on December 14, 2017 and February 1, 2018, the New York State Liquor Authority received further 'evidence' against them regarding violating the cabaret law, becoming a 'focal point for police attention' and 'failing to exercise adequate supervision' over the conduct of the licensed business.

78. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges on March 5, 2018, Administrative Law Judge Craig Porges made a recommendation to Defendants' VINCENT G. BRADLEY; LILY M. FAN and GREELEY FORD to sustain four (4) charges, (5) charges not sustained. The ALJ sustained (2) charges related to the cabaret law and the remaining (2) relate to becoming a 'focal point for the police' and failure to exercise 'adequate supervision' over the licensed business.

79. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges on April 18, 2018, Defendants' VINCENT G. BRADLEY; LILY M. FAN and GREELEY FORD accepted the ALJ'S recommendation and moved to cancel their On-Premise (OP) Liquor Licenses.

80. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that on or about April 24, 2018, Defendant THE CITY OF NEW YORK through Brooklyn Community Board No.: 7, writing "My community was very concerned when this business opened several years ago as Jaguars 3 (Red Leopard) and, at the beginning, there were community complaints about the activities of the patrons and how the business operated. However, in the past four years our office has received no complaints about

the operation of the business nor the behavior of the patrons. In fact, we have record of only a few quality of life complaints in the immediate vicinity and none have identified Love and Lust as the progenitor of these complaints.”

81. Plaintiffs’ KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that Brooklyn Community Board No.: 7’s position is ‘accurate’ and in direct contradiction with Defendants’ THE CITY OF NEW YORK; EMMANUEL GONZALEZ; WILLIAM MEYER; JASON BOLGER; THOMAS REDMOND; WILLIAM HERNANDEZ; CHRISTOPHER SHEA; UMAR CHEEMA; PETER P. CIAPPA, II; NAOMI TATIS; CHAD IVERSON; JOSE RUIZ; JOHN LATTANZIO; ROMAN RASHEVSKIY; LORENZO FRAGOSO; VITALIY IONASHKO; CAITLIN MANNEY; ALEXANDR TILAN and BABAR ISHMEET in conspiracy with Defendant CHARLES A. STRAVALLE’S position that the business is a ‘focal point’ of the police and therefore, must be closed.

82. Plaintiffs’ KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges on May 16, 2018, Defendants’ VINCENT G. BRADLEY; LILY M. FAN and GREELEY FORD denied their motion for reconsideration to cancel their On-Premise (OP) Liquor Licenses.

83. Plaintiffs’ KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges on May 30, 2018, through new counsel, they motioned Defendants’ VINCENT G. BRADLEY; LILY M. FAN and GREELEY FORD for reconsideration related to ‘selective enforcement.’

84. Plaintiffs’ KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges Defendants’ VINCENT G. BRADLEY; LILY M. FAN and GREELEY FORD never responded to their motion for reconsideration related to ‘selective

enforcement.’

85. Plaintiffs’ KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges first and foremost, a careful reading of the ALJ’S recommendation indicates their due process rights were violated.

86. Plaintiffs’ KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges notwithstanding the fact, these charges were not adjudicated in a timely manner, so as to disadvantage them, there is absolutely no sound legal analysis regarding critical legal issues in this matter.

87. Plaintiffs’ KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges frankly, the ALJ’S recommendation is legally flawed, internally inconsistent and based solely upon racial and/or national origin bias against the business owner, its patrons and other stakeholders.

88. Plaintiffs’ KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges more disappointing, instead of Defendants’ VINCENT G. BRADLEY; LILY M. FAN and GREELEY FORD testing the ‘legal sufficiency’ of the recommendation, they simply adopted the legally flawed, internally inconsistent recommendation based solely upon racial and/or national origin bias against the business owner, its patrons and other stakeholders

89. Plaintiffs’ KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges from the outset, the ALJ should have not sustained Charges 5 and 6.

90. Plaintiffs’ KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges the ALJ failed to protect their due process rights.

91. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges the ALJ failed to 'judicially notice' the fact that on October 31, 2017, the city repealed the cabaret law and to request further evidence from the New York State Liquor Authority about whether that results in a voluntary withdraw of those charges or a dismissal 'in the interest of justice.'

92. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges second, the ALJ should not have sustained Charges 7 and 8.

93. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges the ALJ failed to protect their due process rights.

94. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges based upon the 'evidence,' the ALJ did not sustain Charges 1 through 4 and 9. Yet, the ALJ used the same 'evidence' to sustain Charges 7 and 8, which is legally flawed, internally inconsistent and based solely upon racial and/or national origin bias against the business owner, its patrons and other stakeholders.

95. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges Defendants' THE CITY OF NEW YORK; EMMANUEL GONZALEZ; WILLIAM MEYER; JASON BOLGER; THOMAS REDMOND; WILLIAM HERNANDEZ; CHRISTOPHER SHEA; UMAR CHEEMA; PETER P. CIAPPA, II; NAOMI TATIS; CHAD IVERSON; JOSE RUIZ; JOHN LATTANZIO; ROMAN RASHEVSKIY; LORENZO FRAGOSO; VITALIY IONASHKO; CAITLIN MANNEY; ALEXANDR TILAN and BABAR ISHMEET in conspiracy with Defendants' VINCENT G. BRADLEY; LILY M. FAN; GREELEY FORD and CHARLES A. STRAVALLE violated their civil rights under The Civil Rights Act of 1871, 42 U.S.C. § 1983 and 42 U.S.C. § 1985.

VIOLATIONS AND CLAIMS ALLEGED

**COUNT I
EQUAL PROTECTION – SELECTIVE ENFORCEMENT
IN VIOLATION OF
THE CIVIL RIGHTS ACT OF 1871, 42 U.S.C. § 1983**

96. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM re-allege Paragraphs 1 through 95 and incorporate them by reference as Paragraphs 1 through 95 of Count I of this Complaint.

97. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM allege that Defendants' EMMANUEL GONZALEZ; WILLIAM MEYER; JASON BOLGER; THOMAS REDMOND; WILLIAM HERNANDEZ; CHRISTOPHER SHEA; UMAR CHEEMA; PETER P. CIAPPA, II; NAOMI TATIS; CHAD IVERSON; JOSE RUIZ; JOHN LATTANZIO; ROMAN RASHEVSKIY; LORENZO FRAGOSO; VITALIY IONASHKO; CAITLIN MANNEY; ALEXANDR TILAN; BABAR ISHMEET; VINCENT G. BRADLEY; LILY M. FAN; GREELEY FORD and CHARLES A. STRAVALLE under color of law personally interfered with and deprived them of their civil rights.

98. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that Defendants' EMMANUEL GONZALEZ; WILLIAM MEYER; JASON BOLGER; THOMAS REDMOND; WILLIAM HERNANDEZ; CHRISTOPHER SHEA; UMAR CHEEMA; PETER P. CIAPPA, II; NAOMI TATIS; CHAD IVERSON; JOSE RUIZ; JOHN LATTANZIO; ROMAN RASHEVSKIY; LORENZO FRAGOSO; VITALIY IONASHKO; CAITLIN MANNEY; ALEXANDR TILAN; BABAR ISHMEET; VINCENT G. BRADLEY; LILY M. FAN; GREELEY FORD and CHARLES A. STRAVALLE in acting to deprive them of their constitutional rights, acted intentionally, knowingly, willfully, and with gross disregard of their rights.

99. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that Defendants' EMMANUEL GONZALEZ; WILLIAM MEYER; JASON BOLGER; THOMAS REDMOND; WILLIAM HERNANDEZ; CHRISTOPHER SHEA; UMAR CHEEMA; PETER P. CIAPPA, II; NAOMI TATIS; CHAD IVERSON; JOSE RUIZ; JOHN LATTANZIO; ROMAN RASHEVSKIY; LORENZO FRAGOSO; VITALIY IONASHKO; CAITLIN MANNEY; ALEXANDR TILAN; BABAR ISHMEET; VINCENT G. BRADLEY; LILY M. FAN; GREELEY FORD and CHARLES A. STRAVALLE subjected the business, its patrons and other stakeholders to unlawful selective enforcement activities despite a previous ruling in Sulkowska v. City of New York, et al., 129 F.Supp. 2d 274 (S.D.N.Y. January 24, 2001).

100. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that Defendants' EMMANUEL GONZALEZ; WILLIAM MEYER; JASON BOLGER; THOMAS REDMOND; WILLIAM HERNANDEZ; CHRISTOPHER SHEA; UMAR CHEEMA; PETER P. CIAPPA, II; NAOMI TATIS; CHAD IVERSON; JOSE RUIZ; JOHN LATTANZIO; ROMAN RASHEVSKIY; LORENZO FRAGOSO; VITALIY IONASHKO; CAITLIN MANNEY; ALEXANDR TILAN; BABAR ISHMEET; VINCENT G. BRADLEY; LILY M. FAN; GREELEY FORD and CHARLES A. STRAVALLE under color of law, they sustained significant business losses, other related costs and damages.

**COUNT II
MONELL CLAIM
IN VIOLATION OF
THE CIVIL RIGHTS ACT OF 1871, 42 U.S.C. § 1983**

101. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM re-alleges Paragraphs 1 through 100 and incorporates them by reference as Paragraphs

1 through 100 of Count II of this Complaint.

102. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges Defendant THE CITY OF NEW YORK through its agents caused their injuries.

103. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges Defendant THE CITY OF NEW YORK actions of implementing 'official and un-official' policies of unlawful selective enforcement activities despite a previous ruling in Sulkowska v. City of New York, et al., 129 F.Supp. 2d 274 (S.D.N.Y. January 24, 2001).

104. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges Defendant THE CITY OF NEW YORK through its agents deprived them of their constitutional rights.

105. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges Defendant THE CITY OF NEW YORK through its agents' caused them to sustain significant business losses, other related costs and damages.

**COUNT III
FAILURE TO SUPERVISE
IN VIOLATION OF
THE CIVIL RIGHTS ACT OF 1871, 42 U.S.C. § 1983**

106. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM re-alleges Paragraphs 1 through 105 and incorporates them by reference as Paragraphs 1 through 105 of Count III of this Complaint.

107. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges Defendant THE CITY OF NEW YORK knows to a moral certainty that its employees will confront a given situation.

108. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and

IMRAN A. JAIRAM alleges that the situation either presents the employee with a difficult choice of the sort that supervision will make less difficult or that there is a history of employees mishandling the situation.

109. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that mishandling those situations will frequently cause the deprivation of a citizen's constitutional rights.

110. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that because of Defendant THE CITY OF NEW YORK'S failure to supervise its employees it sustained sustain significant business losses, other related costs and damages.

**COUNT IV
FAILURE TO DISCIPLINE
IN VIOLATION OF
THE CIVIL RIGHTS ACT OF 1871, 42 U.S.C. § 1983**

111. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM re-alleges Paragraphs 1 through 110 and incorporates them by reference as Paragraphs 1 through 110 of Count IV of this Complaint.

112. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges Defendant THE CITY OF NEW YORK knows to a moral certainty that its employees will confront a given situation.

113. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that the situation presents the employee with a difficult choice of the sort either that discipline will make less difficult or that there is a history of employees mishandling the situation.

114. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and

IMRAN A. JAIRAM alleges that mishandling those situations will frequently cause the deprivation of a citizen's constitutional rights.

115. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that because of Defendant THE CITY OF NEW YORK'S failure to discipline its employees it sustained sustain significant business losses, other related costs and damages.

**COUNT V
CONSPIRACY
IN VIOLATION OF
THE CIVIL RIGHTS ACT OF 1871, 42 U.S.C. § 1985(3)**

116. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM re-alleges Paragraphs 1 through 115 and incorporates them by reference as Paragraphs 1 through 115 of Count V of this Complaint.

117. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that Defendants' THE CITY OF NEW YORK; EMMANUEL GONZALEZ; WILLIAM MEYER; JASON BOLGER; THOMAS REDMOND; WILLIAM HERNANDEZ; CHRISTOPHER SHEA; UMAR CHEEMA; PETER P. CIAPPA, II; NAOMI TATIS; CHAD IVERSON; JOSE RUIZ; JOHN LATTANZIO; ROMAN RASHEVSKIY; LORENZO FRAGOSO; VITALIY IONASHKO; CAITLIN MANNEY; ALEXANDR TILAN and BABAR ISHMEET in conspiracy with Defendants' VINCENT G. BRADLEY; LILY M. FAN; GREELEY FORD and CHARLES A. STRAVALLE under color of law, personally interfered with and deprived them of their constitutional rights.

118. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that Defendants' THE CITY OF NEW YORK; EMMANUEL GONZALEZ; WILLIAM MEYER; JASON BOLGER; THOMAS REDMOND; WILLIAM

HERNANDEZ; CHRISTOPHER SHEA; UMAR CHEEMA; PETER P. CIAPPA, II; NAOMI TATIS; CHAD IVERSON; JOSE RUIZ; JOHN LATTANZIO; ROMAN RASHEVSKIY; LORENZO FRAGOSO; VITALIY IONASHKO; CAITLIN MANNEY; ALEXANDR TILAN and BABAR ISHMEET in conspiracy with Defendants' VINCENT G. BRADLEY; LILY M. FAN; GREELEY FORD and CHARLES A. STRAVALLE acted individually or in collusion with one another to deprive them of their constitutional right to legally operate an entertainment business servicing the underserved target market primarily persons of color culturally connected to the hip-hop community with more than \$500 billion in discretionary income to spend upon entertainment.

119. Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM alleges that Defendants' THE CITY OF NEW YORK; EMMANUEL GONZALEZ; WILLIAM MEYER; JASON BOLGER; THOMAS REDMOND; WILLIAM HERNANDEZ; CHRISTOPHER SHEA; UMAR CHEEMA; PETER P. CIAPPA, II; NAOMI TATIS; CHAD IVERSON; JOSE RUIZ; JOHN LATTANZIO; ROMAN RASHEVSKIY; LORENZO FRAGOSO; VITALIY IONASHKO; CAITLIN MANNEY; ALEXANDR TILAN and BABAR ISHMEET in conspiracy with Defendants' VINCENT G. BRADLEY; LILY M. FAN; GREELEY FORD and CHARLES A. STRAVALLE, caused them to sustain significant business losses, other related costs and damages.

JURY TRIAL

Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and IMRAN A. JAIRAM demands a trial by jury.

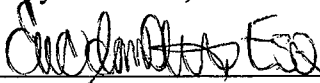
PRAYER FOR RELIEF

Wherefore, Plaintiffs' KB VENTURE GROUP, LLC d/b/a CLUB LOVE and LUST and

IMRAN A. JAIRAM demands compensatory and punitive damages from Defendants' THE CITY OF NEW YORK; EMMANUEL GONZALEZ; WILLIAM MEYER; JASON BOLGER; THOMAS REDMOND; WILLIAM HERNANDEZ; CHRISTOPHER SHEA; UMAR CHEEMA; PETER P. CIAPPA, II; NAOMI TATIS; CHAD IVERSON; JOSE RUIZ; JOHN LATTANZIO; ROMAN RASHEVSKIY; LORENZO FRAGOSO; VITALIY IONASHKO; CAITLIN MANNEY; ALEXANDR TILAN; BABAR ISHMEET; VINCENT G. BRADLEY; LILY M. FAN; GREELEY FORD and CHARLES A. STRAVALLE in an amount to be determined at trial, plus available statutory remedies, both legal and equitable, interests and costs.

Dated: December 10, 2018
New York, NY

Respectfully submitted,

By: 
Eric Sanders (ES0224)

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