

## **Declaration of Deyanira Espinal**

1. My name is Deyanira Espinal. I am a 37 year-old Latina woman who resides in New York City.
2. I worked at Ramco and National Discount, retail stores located at 190-192 Dyckman Street, New York, New York, 10040, from approximately March 2002 until I was terminated on approximately March 17, 2004. My duties included but were not limited to working as a cashier, helping customers, unpacking and stacking merchandise, sewing and ironing merchandise, cleaning the store, and going to the bank.
3. Albert Palacci, the owner of the retail stores and my manager, sexually harassed me and sexually assaulted me on more than one occasion. Mr. Palacci told me that I could receive a salary increase only if I had sex with him.
4. Mr. Palacci further mistreated me by not paying me the minimum wage or overtime. During the entire course of my employment, Mr. Palacci only paid me \$40.00 a day. I usually worked from approximately 9:45 a.m. until at least 7:30 p.m., six days a week.
5. In the summer of 2003, Mr. Palacci ordered me to accompany him to a house in Brooklyn, New York, purportedly to clean the house. When I resisted going to Brooklyn with Mr. Palacci alone, Mr. Palacci ordered my coworker, Angela Berise Peralta Fritman, to accompany him as well. When we arrived at the house, Mr. Palacci locked the door behind us and demanded that we have sex with him. We refused. Mr. Palacci then ordered us to strip to our underwear and model for him. When we refused to undress, Mr. Palacci undressed, told us to look at his body, and again demanded sexual favors. When we refused his demands, Mr. Palacci physically assaulted us by grabbing our arms and throwing us on a bed.
6. Mr. Palacci demanded that I have sex with him on several occasions. For example, in or around October 2003, I asked for a raise. In response, Mr. Palacci told me that he would give me a raise only if I had sex with him. I did not have sex with him and therefore I did not receive a raise.
7. Mr. Palacci retaliated against me for rejecting his sexual advances by reducing my schedule to three days per week, thereby reducing my income, and treating me with hostility. Mr. Palacci repeatedly told me that he would increase my work schedule only if I had sex with him.
8. In or around December 2003, Mr. Palacci ordered me into the basement of one of the retail stores to look for merchandise. Mr. Palacci then grabbed me, threw me on top of a box of clothes, and attempted to sexually assault me. I rejected his advance and escaped.

9. On numerous occasions, Mr. Palacci hit me on the buttocks with great force.
10. On several occasions, I asked Mr. Palacci for permission to leave work to attend doctors' appointments. Mr. Palacci told me that I had to have sex with him in exchange for permission.
11. Mr. Palacci threatened me by telling me that I should do what he wanted me to do because I had children to support.
12. On one occasion, Mr. Palacci summoned me to his office where he was watching pornography on the television.
13. On or about March 17, 2004, Mr. Palacci terminated my employment because I rejected his sexual advances and because of my gender.
14. By the conduct described herein, I believe that I was subjected to gender discrimination.
15. The foregoing is a brief summary of my experiences and is not intended to be an exhaustive account.
16. I swear or affirm, under penalty of perjury, that the above is true and correct.

Dated: May \_\_\_\_, 2004  
New York, NY

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Deyanira Espinal