

**NEW YORK STATE  
DIVISION OF HUMAN RIGHTS**

**NEW YORK STATE DIVISION  
OF HUMAN RIGHTS**

on the Complaint of

**MARYANN ROSSI,**

Complainant,

v.

**IONA COLLEGE,**

Respondent.

**NOTICE AND FINAL  
ORDER AFTER REMITTAL**

Case No. 1254904

**PLEASE TAKE NOTICE** that the attached is a true copy of an Order issued by the Honorable Galen D. Kirkland, Commissioner of the New York State Division of Human Rights ("Division"). In accordance with the Division's Rules of Practice, a copy of this Order has been filed in the offices maintained by the Division at One Fordham Plaza, 4th Floor, Bronx, New York 10458. The Order may be inspected by any member of the public during the regular office hours of the Division.

**PLEASE TAKE FURTHER NOTICE** that any party to this proceeding may appeal this Order to the Supreme Court in the County wherein the unlawful discriminatory practice that is the subject of the Order occurred, or wherein any person required in the Order to cease and desist from an unlawful discriminatory practice, or to take other affirmative action, resides or transacts business, by filing with such Supreme Court of the State a Petition and Notice of Petition, within sixty (60) days after service of this Order. A copy of the Petition and Notice of Petition must also be served on all parties, including the General Counsel, New York State Division of Human

Rights, One Fordham Plaza, 4th Floor, Bronx, New York 10458. Please do not file the original  
Notice or Petition with the Division.

DATED: 6/19/09  
Bronx, New York

  
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GALEN D. KIRKLAND  
COMMISSIONER

STATE OF NEW YORK  
DIVISION OF HUMAN RIGHTS

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On May 19, 2009, the Appellate Division, Second Department remitted this matter to the Division to determine "a new award of compensatory damages for mental anguish in an amount not to exceed the sum of \$75,000." *Iona College v. Gibson*, 62 A.D.3d 878 (2d Dept. 2009). A review of the credible record reveals that an award of \$75,000 is appropriate to compensate Complainant for the mental anguish she suffered as a result of Respondent's unlawful actions.

Accordingly, it is hereby ORDERED that Respondent shall, within sixty days of the date of this Order, pay to Complainant the sum of \$75,000.00 without any withholdings or deductions, as compensatory damages for the mental anguish and humiliation she suffered. Interest shall accrue on the award at a rate of nine percent per annum, from October 31, 2007, the date of the Division's Final Order finding liability, until the date payment is actually made by Respondent.

The aforesaid payment by Respondent shall be in the form of a certified check made payable to the order of Complainant, MaryAnn Rossi, and delivered to her attorney Mark R. Humowiecki, Esq. at Outten & Golden, LLP, 3 Park Avenue 29<sup>th</sup> Floor, New York, N.Y. 10016,

by registered mail, return receipt requested. Respondent shall simultaneously furnish written proof of the aforesaid payments of the sums required by this Order to Barbara Buoncristiano, New York State Division of Human Rights, One Fordham Plaza, 4<sup>th</sup> Floor, Bronx, New York 10458.

DATED:

6/18/09  
Bronx, New York

  
GALEN D. KIRKLAND  
Commissioner