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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

HANNAH SHOSTACK,

Plaintiff,

NO.

vs. PORT AUTHORITY of
NEW YORK & NEW JERSEY,

Defendant.

COMPLAINT
AND JURY DEMAND

Plaintiff Hannah Shostack for her complaint against defendant Port Authority of New York & New Jersey states:

INTRODUCTION

Plaintiff Hannah Shostack is a former employee of the defendant Port Authority of New York & New Jersey ("Port Authority"). On August 11, 2010, plaintiff was informed that she was being discharged without notice or cause due to the alleged "elimination of her position." The reason given for the Port Authority's discharge of plaintiff is a pretext. The true reason plaintiff was discharged is that she is not affiliated with the Republican Party and/or the administration of Republican Governor Chris Christie that took office on January 19, 2010.

The position held by plaintiff at the time of her discharge did not require a political affiliation. The Port Authority's discharge of plaintiff based on her political affiliation violated

her right to free speech and her right to political association as guaranteed by the First and Fourteenth Amendments to the United States Constitution, and therefore violated 42 U.S.C.A. § 1983. Plaintiff brings this action to redress the illegal and unconstitutional acts committed against her by the Port Authority.

JURISDICTION AND VENUE

Pursuant to 28 U.S.C.A. § 1331, this Court has subject matter jurisdiction over this action because it involves a federal question arising under the First and Fourteenth Amendments to the United States Constitution, and 42 U.S.C.A. § 1983. Venue is proper in this District because defendant is partially located and does substantial business in New Jersey, plaintiff was employed in New Jersey and all of the acts and transactions giving rise to the violations of law complained of occurred in the District of New Jersey.

FIRST COUNT

1. Defendant Port Authority of New York & New Jersey is the creation of an interstate compact between the states of New York and New Jersey designed to operate, oversee and maintain most of the transportation infrastructure in and about the Ports of New York and New Jersey.

2. The Port Authority is headquartered at 225 Park Avenue South in New York City and has multiple offices and business locations in New Jersey, including Newark Liberty International Airport and Port Newark-Elizabeth Marine Terminal.

3. In the spring of 2009, plaintiff Hannah Shostack was hired by the Port Authority in its Office of Strategic Initiatives as the Liaison between the Port Authority and the City of Newark.

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4. Plaintiff was hired on the recommendation of former Port Authority Deputy Director, Susan Bass Levin who felt that plaintiff's 25 years of impeccable public service, education and experience made her a perfect fit for the position. Ms. Bass Levin is affiliated with and a prominent political figure in the Democratic Party.

5. On January 19, 2010, Republican New Jersey Governor Chris Christie took office.

6. At all relevant times, plaintiff was not affiliated with the Republican Party or the new administration of Governor Christie.

7. Plaintiff's position with the Port Authority did not require her to be affiliated with any political party or the administration in control of New Jersey's state government.

8. On or about August 11, 2010, plaintiff was informed that her position was being eliminated and that she would be discharged.

9. Plaintiff questioned the reason for her discharge given that she had an exemplary employment history with the Port Authority and was aware that just a month prior, the Preliminary 2011 Budget for the Port Authority had been prepared and included plaintiff's position. In response to plaintiff's inquiry, her supervisor Cruz Russell informed her that the decision to discharge her came straight from Governor Christie's office and there was nothing he could do to save her job.

10. On or about the same date that plaintiff was discharged, several other Port Authority employees who also were not affiliated with the Republican Party or the administration of Governor Christie were discharged without notice or cause due to the alleged "elimination" of their positions as well. It is believed and therefore alleged that the decision to discharge the other employees was also made by Governor Christie's office.

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11. The reason given by the Port Authority for plaintiff's discharge is a pretext. The real and motivating reason for the Port Authority's decision to discharge plaintiff was her lack of affiliation with the Republican Party and/or the administration of Governor Christie.

12. The Port Authority's discharge of plaintiff constitutes political affiliation discrimination in violation of plaintiff's rights to free speech and her right to free political association as guaranteed by the First and Fourteenth Amendments to the United States Constitution.

13. The Port Authority's unconstitutional and illegal discharge of plaintiff was in gross violation of 42 U.S.C. § 1983.

14. As a result of the Port Authority's unconstitutional and illegal discharge of plaintiff, she has suffered and will in the future suffer economic loss, emotional distress, mental injury and other damages.

WHEREFORE, plaintiff Hannah Shostack demands judgment against the defendant Port Authority New York & New Jersey for compensatory damages, punitive damages, interest, statutory attorneys' fees and costs, and all other relief that the Court deems equitable and just.

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DANIEL S. SWETSER

DATED: January 11, 2011

LAW DEPARTMENT
PORT AUTHORITY CLAIMS
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