

Former Employee of NYC's 'Taxi King' Wins Award in Sexual Harassment Suit

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By Andrew Denney

A federal judge in Brooklyn has awarded more than \$1.34 million to a woman who brought a sexual harassment suit against Evgeny Freidman, New York City's so-called "Taxi King" and a former business associate of President Donald Trump's former personal attorney, Michael Cohen.

The award comes just months after Freidman, who once owned as many as 900 taxi medallions, pleaded guilty to criminal tax fraud for running a scheme to pocket \$5 million in surcharges on cab rides that were earmarked for the Metropolitan Transportation Authority.

Elaine Gutierrez, who worked as an accounts payable manager and an assistant to Freidman, alleged that the Taxi King "royally misbehaved" by subjecting her to relentless sexual harassment, making sexual advances toward her and comments about her body in front of fellow employees, through emails and, in some instances, in front of Gutierrez's 10-year-old daughter.

Gutierrez took her complaints to Andreea Dumitru, an attorney and the chief financial officer for Freidman's company, Taxi Club Management; but Dumitru, who was also convicted of tax fraud this year for participating in the scheme to steal the MTA surcharge, told Gutierrez to ignore Freidman and to "deal with it."

In 2016, after Gutierrez had been with the company for about one year, Dumitru told Gutierrez that Freidman wants her fired because Gutierrez doesn't "shut up and do what she's told," according to Gutierrez's suit.

Freidman did not respond to a request for comment. With regard to the tax fraud case, Freidman has agreed to cooperate with the government as a potential witness.

The award for Gutierrez, approved on Monday by U.S. District Judge Ann Donnelly of the Eastern District of New York, includes \$850,000 in punitive damages, as well as economic and compensatory damages and attorney fees and costs.

Gutierrez's lawyer, Lawrence Pearson of Wigdor LLP, said the size of the punitive damages award was driven by the fact that Freidman had allegedly continued harassing Gutierrez after he had been put on notice and that he ended up firing Gutierrez out of retaliation.

"Punitive damages are mostly called for when conduct is reckless or malicious," Pearson said. "Here I think you have both."

Pearson said that, when the suit was filed last year, he stayed in communication with Freidman, who was himself an attorney until May when the Appellate Division, First Department, disbarred him for failing to cooperate with an investigation into his alleged professional misconduct, throughout the sexual harassment case, but that Freidman never appeared in court for proceedings.

Pearson said his interactions with Freidman about the case via email were “normal” at first, but that Freidman became increasingly belligerent in his communications as the case moved forward.

For example, when trying to arrange for a meet-and-confer in the case, Freidman responded, in garbled fashion: “My answer to u on all will b go fuxk urself! [Is] that sufficient for [m]eet and confer?”

In June, U.S. Magistrate Judge Vera Scanlon of the Eastern District of New York hit Freidman with a \$1,000 sanction for “exceptional vulgarity and disrespect shown” to Pearson.

Freidman managed taxi medallions for Cohen, who is under investigation by federal authorities.

Following Freidman’s conviction in May, Cohen sought to distance himself from Freidman, tweeting that he is “one of thousands of medallion owners who entrust management companies to operate my medallions according to the rules of the NYC Taxi and Limousine Commission.”

“Gene Freidman and I are not partners and have never been partners in this business or any other,” Cohen tweeted.