



2021 Year in Review

Office of the New York State Attorney General
Letitia James

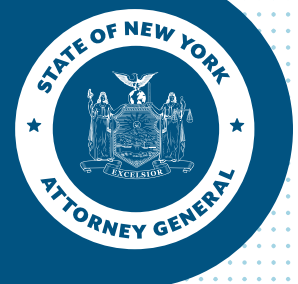


Table of Contents

Message from Attorney General James	02
Funds Recovered for New York State	02
Combating the Opioid Crisis	02
Holding Powerful Organizations and Individuals Accountable	02
Responding to COVID-19	02
Safeguarding the Integrity of Our Elections	02
Preserving Reproductive Rights	02
Leading the Fight to Protect Our Environment	02
Supporting Immigrant Communities.....	02
Fighting for the LGBTQ+ Community	02
Battling Against Hate Crimes and Discrimination	02
Public Safety	02
Defending Workers	02
Protecting Consumers	02
Expanding Access to Safe and Affordable Housing	02
Tackling Financial Crimes and Fraudulent Schemes	02
Rooting Out Corruption	02
Protecting Workers and Students from Sexual Harassment	02
Protecting New Yorkers from Prescription Drug and Healthcare Fraud	02
About the Attorney General's Office	02



Letitia James

New York State Attorney General

Dear Friends,

On New Year's Day 2021, none of us could have predicted the tests we would face over the next 12 months. We endured another pandemic year of lost mobility, opportunity, and loved ones. We continued our urgent, and necessary, national struggle for racial justice. We fought against a concerted effort to revoke, rescind, and refuse a woman's right to make her own health decisions. We saw disturbing and credible allegations leveled at our former governor, and – in the year's very first week – we suffered a violent attack on our democracy, followed by a systematic effort to limit the sacred right to vote.

This has been time of testing and of choosing. I want to thank the people of New York state for their resolve, sacrifice, and courage, and for their consistent choice to preserve, protect, and defend our democracy. In the difficult year of 2021, the Attorney General's Office had New Yorkers' backs, and took on your fights. If there was a single theme that ran throughout our actions in this office, it was this: We held the powerful accountable.

We held powerful institutions accountable. We secured up to \$1.5 billion in funding for communities from Big Pharma companies for their role in perpetuating the opioid crisis. We uncovered that the New York State Department of Health undercounted COVID-19 deaths in nursing homes and that nursing homes failed to comply with infection control protocols. We continued to pursue our lawsuit against the National Rifle Association and its executives. We filed a lawsuit against the New York City Police Department for its pattern of excessive force and false arrests during peaceful protests. We co-led a bipartisan coalition of 37 attorneys general in filing a lawsuit against Google for illegal and anticompetitive conduct.

We also held powerful people accountable. We continued our investigation into Donald Trump, members of the Trump family, and the Trump organization. We appointed independent investigators to do a full, fair, and vigorous investigation of then-Governor Andrew Cuomo's conduct in the face of multiple accusations of sexual harassment and bullying. Our message is clear: No matter how rich or powerful, no one is above the law.

I would be remiss if I did not close by mentioning the work this office did to protect New Yorkers from those who seek to illegally profit from the COVID-19 pandemic. In 2021, we went after con artists selling fake COVID-19 cures, companies that gouged prices on essentials, and pharmacies that illegally charged for vaccines. We also took action against COVID-19 testing companies for wrongful billing and failure to deliver results in the time promised.

I am proud of the work this office did in 2021, and look forward to continuing to confront new challenges as the People's Lawyer.

Thank you,



Letitia James



Funds Recovered for New York State

In 2021, Attorney General James collected over **\$1.7 billion** for New York state, including:



Over

\$607 million

in restitution to individuals
and businesses



Over

\$98 million

from negotiated settlements
and judgments



Over

\$66 million

in civil recoveries and
unpaid debts to the State



Over

\$35 million

recovered for Medicaid



Over

\$28 million

from non-profit organizations

Additionally Attorney General James secured up to

\$1.5 billion

to turn the tide on the opioid epidemic.
These funds will be collected and distributed in the years ahead.



Combating the Opioid Crisis

Opioid addiction has caused immeasurable loss and despair in every corner of the country, and New York is no exception. Worse yet, the crisis continues to rage. While far too many lives have been lost to opioids and countless individuals continue to struggle with substance abuse and related traumas, 2021 marked a turning point in the battle to provide desperately needed relief to long-suffering New Yorkers. Attorney General James' efforts to hold opioid manufacturers and distributors accountable for their role in the opioid crisis yielded dramatic results as she secured up to \$1.5 billion for New York that is being directed to programs that will help abate the ongoing calamity. To ensure funds received go to remediate the harm in our communities, the legislature passed a law that specifically allocates all funds collected by the Attorney General from statewide opioid settlements or litigation victories to abatement efforts. The fight is far from over, but Attorney General James will continue fighting relentlessly to help New York, especially its most impacted residents, recover.



**Johnson & Johnson confirms
opioid business has ended
in \$230 million settlement
with New York**

AP

**McKinsey to pay \$573M for
role in opioid crisis**

Securing up to \$1.5 Billion to Address the Opioid Epidemic

In March 2019, Attorney General James filed the nation's most extensive lawsuit to hold accountable the various manufacturers and distributors responsible for the opioid crisis.

Since that time, Attorney General James has secured up to \$1.5 billion for New York that will help communities across the state invest in treatment, recovery, and education programs. Attorney General James secured:

- » Up to **\$200 million** from Allergan Finance, LLC and its affiliates.
- » Up to **\$50 million** from Endo Health Solutions and its affiliates.
- » Up to **\$230 million** from Janssen Pharmaceuticals and its affiliates (including its parent company Johnson & Johnson)
- » Up to **\$1 billion** — the largest settlement negotiated by Attorney General James since she took office — from McKesson Corporation, Cardinal Health Inc., and Amerisource Bergen Drug Corporation

Following Attorney General James' lawsuit, a number of defendants filed for bankruptcy including: Mallinckrodt LLC and its affiliates, Purdue Pharma L.P., and Rochester Drug Co-Operative, Inc. The resolution of these bankruptcy cases may result in additional funds for New York.

Further, in the nation's first jury trial in an opioid lawsuit, Attorney General James secured a liability verdict against Teva Pharmaceuticals USA and its affiliates. A subsequent trial will be held to determine how much this company will pay to help abate the epidemic in New York.

Attorney General James also co-led a coalition of nearly every attorney general in the nation in obtaining more than \$573 million from McKinsey & Company for its role in helping fuel the opioid epidemic. The funds from the agreement — more than \$32 million of which will go to New York state — will go towards abating the effects of excessive opioid use in the participating states.

In the fall of 2021, Attorney General James traveled across New York state to the communities that are receiving the up to \$1.5 billion that her office secured from opioid manufacturers and distributors. She visited 19 counties across the state, with stops in New York City, Long Island, Westchester, the Capital Region, Central New York, the Finger Lakes, the Hudson Valley, the Mohawk Valley, the North Country, the Southern Tier, and Western New York. She visited inpatient and outpatient treatment facilities, hospitals, and community support centers. At every stop, she met with doctors, treatment providers, impacted families, elected officials, and community leaders to learn about the unique challenges their communities are facing as a result of the opioid crisis, and how these funds will be used for treatment, prevention, and education efforts.

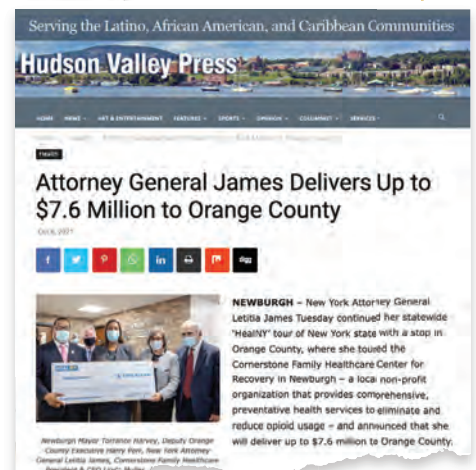
The 'HealNY' Statewide Tour: Delivering Funds to Combat the Opioid Crisis





Patch

Up To \$94M From Opioid Lawsuits Coming To The Hudson Valley: NYAG



Newburgh



New York City



Binghamton



Batavia



Albany



Amsterdam



Waterloo



**Holding Powerful Organizations
and Individuals Accountable**

Attorney General James has spent her career guided by a simple principle: stand up to the powerful on behalf of the vulnerable. From former President Donald Trump to former Governor Andrew Cuomo, from the National Rifle Association (NRA) to the New York City Police Department (NYPD), Attorney General James will never back down from a fight because no one, no matter how rich or well-connected, is above the law. In 2021, this meant taking on some of the country's most well-connected and well-known organizations and individuals, regardless of prominence, popularity, or political views.

Holding the Trump Organization Accountable

Attorney General James launched an investigation into the Trump Organization's financial dealings in 2019, after Trump's former lawyer, Michael Cohen, testified before Congress that Trump's annual financial statements inflated the values of Trump's assets to obtain favorable terms for loans and insurance coverage, while also deflating the value of other assets to reduce real estate taxes. In 2020, Attorney General James filed a motion to compel the Trump Organization to comply with her office's lawful subpoenas for documents and testimony regarding the Trump Organization's financial dealings. This motion came after months of unsupported privilege claims in an effort to shield evidence from a lawful investigation. Since that time, the Trump Organization has continued to stall, withhold documents, and several organizational executives have refused demands to appear for questioning. But, time and again, Attorney General James has fought back and gotten the courts to order the Trump Organization to turn over the information and documents that the Attorney General's Office is seeking.

Relatedly, in July, the Attorney General's Office provided assistance to the Manhattan District Attorney's Office in securing a criminal indictment of the Trump Organization and its Chief Financial Officer Allen Weisselberg. The indictment alleges, among other things, financial wrongdoing whereby the Trump Organization engaged in a scheme with Mr. Weisselberg to avoid paying taxes on certain compensation. The charges relate to the alleged failure by Weisselberg to pay New York state and federal income taxes on approximately \$1.7 million in compensation.

Investigating the COVID Crisis in Nursing Homes

One of the most tragic consequences of the COVID-19 pandemic was the extensive and heartbreaking loss of life of New Yorkers living in nursing homes. Since March 2020, Attorney General James has been investigating nursing homes throughout New York state based on allegations of patient neglect and other concerning conduct that may have jeopardized the health and safety of residents and employees.

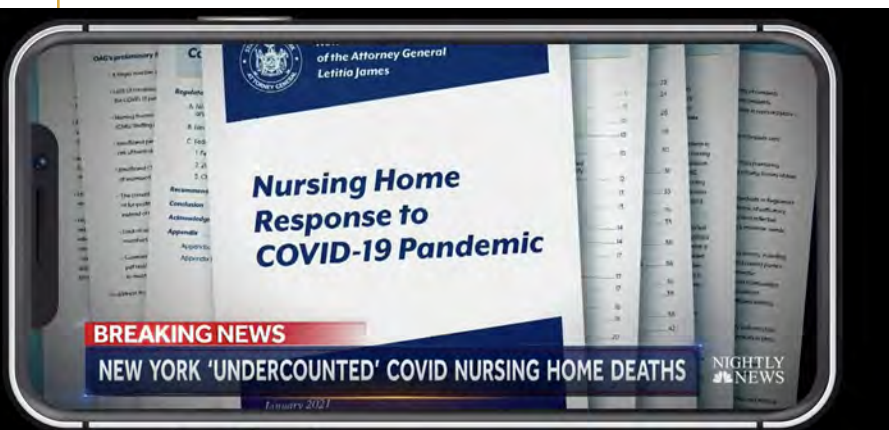
In January, Attorney General James released a report detailing the preliminary findings of those investigations, most notably revealing that the New York State Department of Health (DOH) undercounted the number of COVID-19 deaths of nursing home residents. As part of its investigations, the Attorney General's Office discovered that many nursing home residents died from COVID-19 in hospitals after being transferred from their nursing homes, which was not reflected in the total nursing home death data that DOH published. Altogether, the Attorney General's Office found that nursing home resident deaths were undercounted by DOH by approximately 50 percent.

The investigations also revealed that nursing homes' lack of compliance with infection control protocols, insufficient personal protective equipment for staff, and a lack of testing for residents and staff put residents at increased risk of harm. Additionally, facilities that had lower pre-pandemic staff to resident ratios had higher COVID-19 fatality rates; government guidance requiring the admission of COVID-19 patients into nursing homes may have put residents at increased risk of harm in some facilities; and a lack of nursing home compliance with an executive order requiring communication with family members caused avoidable pain and distress.

Based on these findings, Attorney General James is continuing to investigate multiple nursing homes.

While nothing can bring back the family members and loved ones who were tragically lost in the COVID-19 pandemic, Attorney General James will continue to

work tirelessly to provide the transparency that New Yorkers deserve and hold accountable anyone who compromises the safety of our most vulnerable.



Vigorous, Independent Investigation of Sexual Harrassment Claims Against Former Governor Cuomo

After multiple women made allegations that then Governor Andrew Cuomo sexually harassed or touched them inappropriately, the then governor issued a legal referral to Attorney General James and the Attorney General's Office to investigate these allegations of misconduct. In order to ensure an independent and thorough investigation of the facts, Attorney General James appointed two outside, independent investigators with decades of experience conducting investigations and fighting to uphold the rule of law.

Over the course of the five-month investigation, the investigators interviewed 179 individuals. Those interviewed included complainants, current and former members of the Executive Chamber, state troopers, additional state employees, and others who interacted regularly with the governor. More than 74,000 documents, emails, texts, and pictures were also reviewed as evidence during the investigation.

The investigators ultimately concluded that then-Governor Cuomo sexually harassed multiple women — including former and current state employees — by engaging in unwanted groping, kissing, hugging, and making inappropriate comments. Further, the governor and his senior staff took actions to retaliate against at least one former employee for coming forward with her story. Finally, the Executive Chamber fostered a “toxic” workplace that enabled “harassment to occur and created a hostile work environment.” The investigators found that then-Governor Cuomo's actions and those of the Executive Chamber violated multiple state and federal laws, as well as the Executive Chamber's own written policies.

In the months following the issuance of this report, a separate investigation conducted by the New York State Assembly corroborated these findings, and multiple district attorneys also deemed the accounts of harassment to be credible.

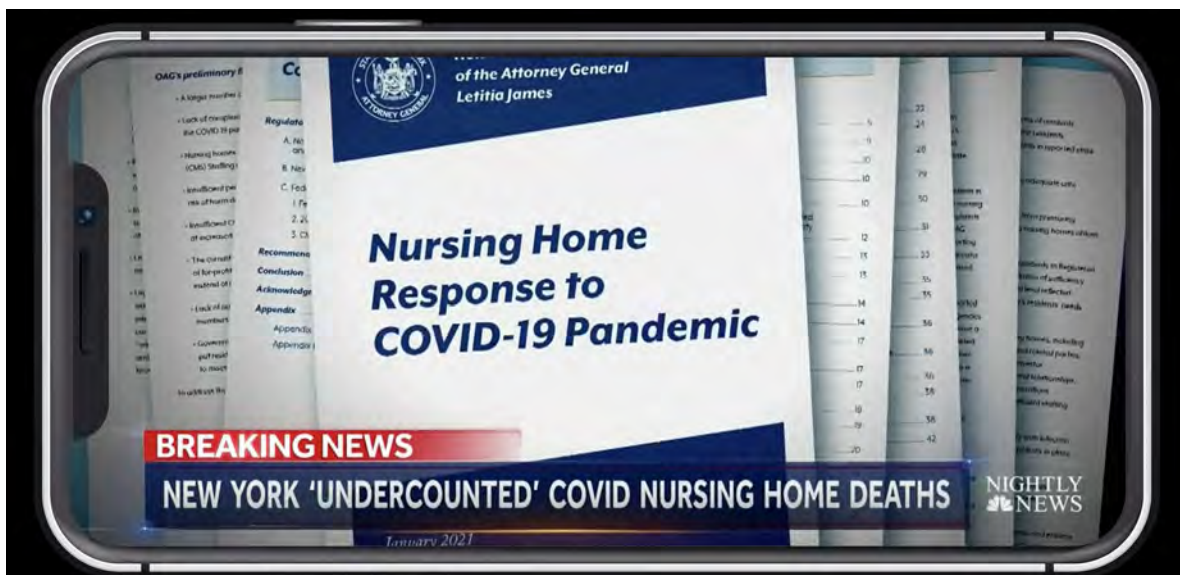
Every New Yorker should be able to work in an environment that is safe and free of harassment of any kind. No one — no matter how powerful — can be allowed to harass women or violate our human rights laws, period.

Rooting Out Fraud and Self-Dealing at the NRA

In 2020, Attorney General James filed a lawsuit against the National Rifle Association (NRA), its Executive Vice-President Wayne LaPierre, and other top executives for failing to responsibly manage the NRA's funds and not following numerous state and federal laws, or even the NRA's own bylaws and policies. While allowing this unlawful conduct to persist, the NRA lost more than \$64 million in just three years. Attorney General James filed suit seeking to recoup millions of dollars that the organization's own top executives plundered from the nonprofit.

Since the lawsuit was filed, the organization has utilized one tactic after another to delay accountability, but each time the courts have rejected these maneuvers. In January, the NRA filed for chapter 11 bankruptcy even though the organization still claimed to have healthy financial reserves. This futile attempt to avoid accountability failed. In May, a federal bankruptcy court rejected the organization's claims after the NRA sought to reorganize in Texas, stating, "that the NRA did not file the bankruptcy petition in good faith." Attorney General James will continue to wage a fight for transparency and accountability, because no one – not even one of the most powerful nonprofits in America – is above the law.

REPLACE
SCREEN-
SHOT



Reining in the Power of Big Tech and Exposing Fraud to Influence the Repeal of Net Neutrality

Attorney General James will not sit quietly while tech giants wield monopoly power to illegally crush competition, or while companies engage in deceptive practices that can influence the laws and policies that regulate the internet.

In July, Attorney General James co-lead a bipartisan coalition of 37 attorneys general in filing a lawsuit against Google for its illegal and anticompetitive conduct. The company has sought to maintain its monopoly power in mobile app distribution and in-app payments by using exclusionary contracts and other anticompetitive practices to thwart competition and extract monopoly rents for app distribution and payments. These practices have deprived Android device users of greater choice, innovation, and lower-pricing for mobile apps, as Google has profited to the tune of billions of dollars. Attorney General James will continue to lead this bipartisan coalition of attorneys general to end Google's illegal monopoly power and finally give voice to millions of consumers and business owners.

Separately, Attorney General James released a report on a wide-ranging investigation into fake, public comments submitted to the Federal Communications Commission (FCC) in a 2017 proceeding to repeal net neutrality rules. The investigation found that nearly 18 million of the more than 22 million comments the FCC received in that proceeding were fake. The report detailed how the nation's largest broadband companies funded a secret campaign to generate millions of comments to the FCC to provide "cover" for the FCC's repeal of net neutrality rules. The broadband industry used prizes to lure consumers to their websites and join the campaign. However, nearly every lead generator that was hired to enroll consumers simply fabricated consumers' responses. As a result, more than 8.5 million fake comments that impersonated real people were submitted to the FCC, and more than half a million fake letters were sent to Congress. Separately, the FCC received 9.3 million fake comments supporting net neutrality that used fictitious identities. The Attorney General's Office reached agreements with three lead generators requiring the companies to adopt comprehensive reforms in future advocacy campaigns and to pay more than \$4.4 million in penalties and disgorgement. Attorney General James will continue to shine a spotlight on abuses of power and disinformation that seeks to distort the rules governing the internet.

Holding the NYPD Accountable to Restore Faith in Law Enforcement

Attorney General James has long been committed to bridging the divide between the police and the public and reforming a broken criminal justice system. In 2020, after conducting a thorough investigation that included a three-day public hearing, Attorney General James launched an investigation into the New York City Police Department (NYPD) for its pattern of using excessive force and making false arrests against New Yorkers during peaceful protests stemming from the murder of George Floyd. Following this investigation, in January, Attorney General James filed a lawsuit against the NYPD. The suit outlines the NYPD's illegal and harmful conduct against New Yorkers during racial justice protests and for years prior, which has led to significant injuries and violated individuals' basic right to peacefully protest. The lawsuit charges the NYPD and its leadership with failing to address this longstanding pattern of abuse by not properly training, supervising, and disciplining officers to prevent misconduct. For years, the NYPD's actions have led to great distrust in law enforcement. This lawsuit is an important step to ensuring that the longstanding pattern of brutal and illegal force ends. No one is above the law — not even the individuals charged with enforcing it.



Newsday



Responding to COVID-19

As the COVID-19 pandemic continued to ravage New York state, the country, and the world in 2021, New Yorkers demonstrated profound resilience as they stepped up to combat the deadly virus. Frontline health care workers exposed themselves to enormous risk by treating the sick. Essential workers toiled around the clock to keep the state running, doing everything from delivering groceries to keeping public transportation running. In the spirit of these heroes, the Attorney General's Office mobilized to safeguard all New Yorkers who faced continued uncertainty, financial instability, and unfathomable loss. Attorney General James fought to protect employees forced to work in unsafe conditions, to look after consumers bilked out of hard-earned money by COVID-19-related fraud and misconduct, and to prevent the powerful from using the pandemic as an opportunity to prey on the vulnerable.

Ensuring Timely, Accurately Priced COVID-19 Testing

As the Omicron surge swept through New York in December, the Attorney General's Office received a rash of complaints from consumers who were waiting longer than advertised for COVID-19 test results or were wrongfully billed for COVID-19 tests. These misrepresentations came as New Yorkers were

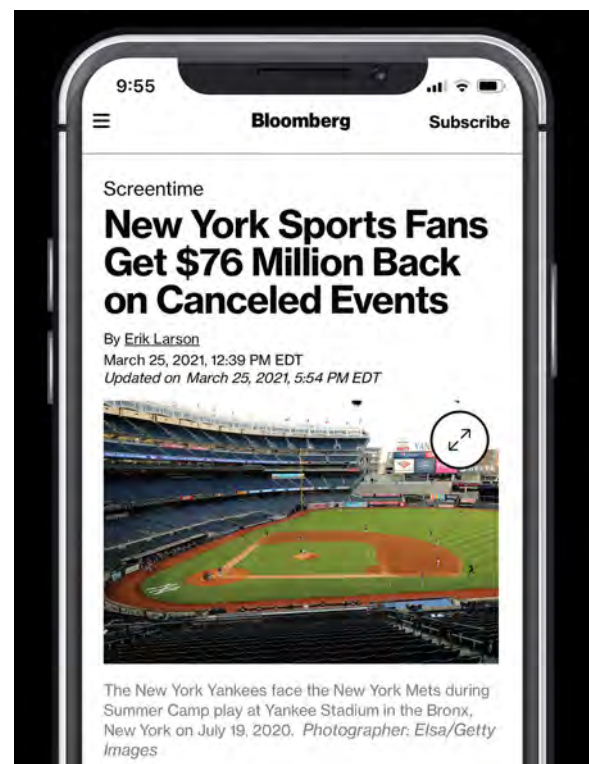
trying to use test results to travel and gather safely for the holidays. Attorney General James issued warnings to LabQ Diagnostics and Labworq, companies with dozens of testing locations across New York City, after learning that some consumers were waiting longer than advertised for COVID-19 test results, with delays sometimes stretching days beyond advertised turnaround times. The companies were instructed to immediately update signage at testing sites and on their websites to accurately reflect anticipated COVID-19 test turnaround times. Attorney General James also issued warnings to ClearMD Solutions and Sameday Health, two labs that had numerous consumers who waited longer than advertised to receive test results, even if they paid for expedited results. Both labs were instructed to update signage at test sites and on their websites to accurately reflect anticipated COVID-19 test turnaround times and to issue refunds for consumers who paid for expedited test results but did not receive them in the promised timeframe. Attorney General James will continue working diligently with government, private sector, and nonprofit partners to ensure accessible testing throughout New York.

In April 2020, Ticket Fulfillment Services (TFS) approved requests from five affiliate marketers to abandon refunds requested by customers whose tickets to events were canceled due to COVID-19 in favor of a policy that would only provide credits for future ticket purchases. TFS subsequently sent out tens of thousands of cancellation notices to consumers, informing them that they were subject to the new credit policy, notwithstanding New York law requiring companies that facilitate ticket resales to guarantee refunds for canceled events. In an agreement with TFS, Attorney General James returned \$4.4 million in refunds to over 11,000 affected consumers who purchased tickets to events that were canceled because of the COVID-19 pandemic.

Refunding Nearly \$4.5 Million for Tickets Canceled Due to COVID-19

In April 2020, Attorney General James called on seven major cable companies to provide financial relief to consumers by reducing or eliminating fees attributable to live sports programming. In the early days of the COVID-19 pandemic, virtually all live sporting events were canceled, yet major cable companies — Altice USA, AT&T Inc., Charter Communications, Comcast Cable, DISH Network, RCN Corporation, and Verizon Communications — refused to reduce the additional costs of subscription packages that included live sports programming. In March, Attorney General James secured approximately \$76 million in rebates from the companies that will go back into the pockets of the four million New Yorkers who were unfairly charged live sports programming-related fees.

Securing \$76 Million in Rebates for Cable Customers



Attorney General James reached an agreement with the Greentree Country Club in New Rochelle to provide full restitution to consumers who paid deposits for events that were canceled because of the COVID-19 pandemic. As events were canceled in the spring of 2020, consumers who had placed deposits for events began to request refunds from the Greentree Country Club. These refunds were subsequently denied. Those consumers, instead, were offered other resolutions, such as rescheduling the event to a future date, accepting a credit of the deposit for future use, or transferring the credit to another person or event. Attorney General James initiated a full investigation and, after her intervention, the owners of the Greentree Country Club, M.N. & G Restaurant and Caterer, Inc., provided full restitution to all consumers who sought a refund.

Providing Refunds for Canceled Events

When Hillandale Farms Corporation, one of the nation's largest producers and wholesale distributors of eggs, illegally gouged the prices of eggs during the onset of the COVID-19 pandemic, Attorney General James filed a lawsuit. Hillandale inflated the prices of the eggs it sold to major grocery store chains, U.S. military facilities, and wholesale food distributors throughout New York state — charging New Yorkers exponentially higher prices than it did before the pandemic. For two months, Hillandale made millions of dollars from unlawfully increasing the prices of eggs, many of which were sold in grocery stores located in low-income communities, a violation of New York's anti-price-gouging law. Under an agreement signed with Attorney General James, Hillandale donated 100,000 cartons of eggs to food banks throughout New York state and agreed to refrain from any further excessive egg pricing.

Delivering 1.2 Million Eggs to Feed New Yorkers



No workers should lose their job for falling sick at any time, especially not during a global pandemic. However, an investigation by Attorney General James found that an industrial laundry facility on Long Island, FDR Services Corporation, unlawfully fired seven workers and denied paid sick leave to others who took time off when they were ill with COVID-19. Attorney General James recovered \$400,000 from the company to be distributed among the 10 affected workers for sick leave pay and emotional distress. Additionally, FDR Services Corporation agreed to reinstate the five employees who wished to return to the company and to provide them with the benefits they received prior to their unlawful discharge.

Protecting Workers Unlawfully Fired During the COVID-19 Pandemic



Combating Vaccine Disinformation Online

New York Attorney General Letitia James, as part of a coalition of 12 attorneys general, called on Facebook and Twitter to take stronger measures to stop the spread of COVID-19 vaccine disinformation being spread by anti-vaxxers on their social media platforms.

“Facebook and Twitter must take immediate action to protect New Yorkers and limit any further loss of life as a result of the spread of inaccurate information.”

– Attorney General James



Safeguarding the Integrity of Our Elections

The right to vote is the basis of all other constitutional rights. In 2020, Americans turned out to vote in record numbers, and a record number of votes were cast in new ways. What followed was a concerted effort to undermine democracy by any means. That included a violent attack on the United States Congress as it was certifying the results of a presidential election, and a steady stream of legislation in state houses across the nation, designed to suppress the vote and rig elections. In 2021, Attorney General James used every tool at her disposal to protect the voting rights not only of New Yorkers, but of all Americans.

Attorney General James successfully sued the Rensselaer County Board of Elections and its commissioners for failing to provide the county's voters with adequate and equitable access to early voting poll sites, as required by New York's early voting law. The lawsuit alleged that the Board of Elections and its commissioners repeatedly refused to select an early voting site that was easily accessible to Troy residents, where the majority of the county's Black, Hispanic, and lower-income communities reside. A Rensselaer County Supreme Court judge declared that the Board of Elections' decision not to place a site in a centrally located area within Troy was arbitrary and capricious, and must be annulled. Accordingly, the Board of Elections was required to select an accessible early voting site in advance of the June primary election.

Ensuring Voting Access in Rensselaer County



Standing up for Voting Rights in Georgia

Attorney General James co-led a coalition of 22 attorneys general to support the United States Department of Justice in its case before the Supreme Court opposing Georgia's discriminatory law that would make it more difficult for millions of Georgians to vote. The law disproportionately affects low-income and rural communities, and includes provisions that impede Black voter mobilization efforts, such as banning government entities from distributing unsolicited absentee ballot applications, criminalizing the distribution of food and water to voters waiting in line, requiring ID for absentee ballots, and limiting the placement of ballot drop boxes. Attorney General James will continue to battle discrimination and threats to voting wherever they may be.

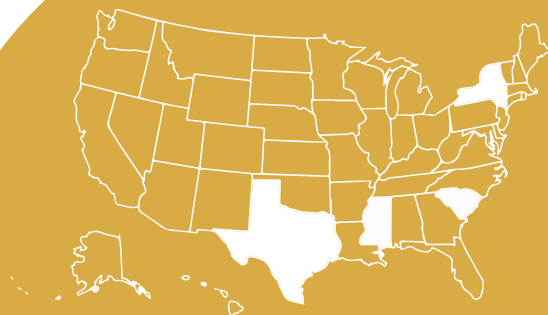


Taking Legal Action Against Conspiracy Theorists For Threatening Robocalls to Suppress Black Voters

An investigation conducted by the Attorney General's Office found that two notorious conspiracy theorists, Jacob Wohl and Jack Burkman, orchestrated a large-scale robocall campaign to intimidate Black communities in New York ahead of the 2020 election. Approximately 5,500 New Yorkers were subjected to discriminatory and harassing calls. Wohl and Burkman hid behind a sham organization, "Project 1599," to disseminate disinformation, including claims that mail-in voters would have their personal information disseminated to law enforcement, debt collectors, and the government. This was a clear attempt to undermine and interfere with the efforts by New York state to administer its elections fairly and safely during the COVID-19 pandemic and to protect its citizens from voter intimidation and harassment. In May, Attorney General James took legal action against Wohl and Burkman for violating several laws, including the Voting Rights Act and the Civil Rights Act, by filing a request to intervene in a federal lawsuit against Wohl and Burkman. A federal judge subsequently granted that motion. The right to vote is sacrosanct, and Attorney General James will not tolerate voter intimidation and harassment.



"...Mail-in voting sounds great, but did you know that if you vote by mail, your personal information will be part of a public database that will be used by police departments to track down old warrants and be used by credit card companies to collect outstanding debts? ..."



“We cannot allow the frequency, ferocity
or range of assaults on reproductive
health to stop us. We must confront them
at home as well as nationwide.”

— Letitia James

DAILY  NEWS

Preserving Reproductive Rights

Attorney General James has long been a fierce protector and unrelenting advocate for reproductive health care and abortion rights, working diligently to protect access to reproductive care both in New York state and nationally. Whenever elected officials and special interest groups have sought to restrict a woman's right to make her own health decisions, Attorney General James has stood up to protect women's health, women's bodies, and women's choices. From defending the rights of patients to safely and confidently access health care clinics, to fighting against regressive laws limiting reproductive health care, Attorney General James will continue to take a stand against dangerous legislation and to ensure safe access to health and reproductive care services.

Every individual has the right to access health care clinics without fear, harassment, or intimidation. On numerous occasions throughout 2020, patients who were trying to access care at a Planned Parenthood clinic in Manhattan were subjected to a barrage of unwanted physical contact, verbal abuse, and threats of harm by two anti-abortion activists. Attorney General James filed a lawsuit against these protestors for violating federal, state, and local clinic access laws and posing a risk to the health and safety of patients, staff, and escorts. Attorney General James successfully secured an agreement to keep these protestors from interfering with patients within an 18-by-30-foot buffer zone around the entrance to the clinic. Any future violations of the agreement will result in a \$5,000 fine per violation.

Protecting Clinic Access



Defending Abortion Access Across the Nation

Attacks against reproductive rights continued in 2021, as multiple states passed statutes effectively banning abortion. In Texas, the state legislature passed a law that would essentially ban abortions after six weeks and empower individuals to enforce the law against anyone who aids or abets an abortion, from providers to rideshare drivers who take someone to a clinic. The

law also does not include exceptions for instances of rape or incest. Working with a multi-state coalition of attorneys general, Attorney General James took legal action to urge the Supreme Court to stop this outrageous and dangerous statute.

Similar laws were passed in Mississippi, which moved to ban abortions after 15 weeks, and South Carolina, which banned abortions after a heartbeat is detected at approximately six weeks. Other states, like Tennessee, passed draconian regulations such as requiring a 48-hour waiting period before being able to receive an abortion. Attorney General James has taken action against each of these bans and regulations arguing that they not only undermine women's fundamental rights but pose a threat to their health and wellbeing. Attorney General James will continue to fight abortion bans and other burdensome regulations that are designed to infringe on women's bodily autonomy.





**Leading the Fight to Protect
Our Environment**

Communities across New York face a multitude of environmental hazards: air and water pollution, toxic industrial emissions, hazardous waste sites, lack of green space, and the catastrophic effects of climate change. These environmental injustices are often disproportionately borne by low-income communities and communities of color. Attorney General James is committed to fighting these injustices and improving the lives of New Yorkers. She launched an environmental justice initiative within the Attorney General's Office to focus on reducing environmental and health disparities in New York's most vulnerable and impacted communities. As part of this initiative, the Attorney General's Office works with local communities to align with their priorities, needs, and ideas for solutions to address environmental injustice and examines issues from childhood lead poisoning to illegal school bus idling and unlawful contaminated waste dumping. In addition, she has taken sweeping legal actions on numerous fronts to protect New York's environment.

Defeating the Trump Administration's "Dirty Power" Rule

As the effects of climate change worsen, it is critical that emissions from fossil-fueled power plants – one of the largest sources of climate change pollution – are reduced and, ultimately, eliminated as quickly as possible. Attorney General James took action when the Trump Administration rescinded the Obama-era Clean Power Plan, which, for the first time, placed nationwide limits on emissions of climate change pollution from existing fossil-fueled power plants, and replaced it with the so-called "Dirty Power" rule. That rule would have had virtually no impact on these emissions and would have prolonged reliance on coal-fired plants. After a years-long legal battle, the courts sided with Attorney General James to strike down this rule, protecting Americans from the increasingly disastrous impacts of climate change. Attorney General James is continuing to lead a coalition of states in urging the U.S. Supreme Court to uphold this legal victory, as well as for the Biden Administration to adopt new, updated national power plant limits.



For nearly six decades, the Indian Point nuclear power facility in the lower Hudson Valley operated while posing significant environmental, health, and safety risks to the most densely populated region of New York state. In April, Attorney General James reached an agreement with Holtec International and its subsidiaries regarding the decommissioning and cleanup of Indian Point. On behalf of New York state, Attorney General James negotiated the agreement with environmental organizations, Entergy (the facility's owner), and Holtec. Under the agreement, ownership of the nuclear power facility was transferred to Holtec, which is responsible for the swift, complete, and safe decommissioning and remediation of the facility and site.

Reaching an Agreement to Dismantle and Clean Up Indian Point

"I am grateful to Attorney General James, our local leaders, and the community advocates who have been dedicated to ensuring the decommissioning process is carried out in a financially and environmentally responsible way."

— **U.S. Representative Mondaire Jones**

Too many of New York's communities struggle with pollution resulting from a legacy of environmental abuse, neglect, and injustice. For many years, residents of the town of Tonawanda, outside Buffalo, were subject to hazardous waste disposal and oil spill contamination from the Tonawanda Forge site, first owned by General Motors and later by American Axle & Manufacturing. An investigation found that both companies mishandled hazardous wastes and allowed spilled chemicals to leak into the ground through cracks in concrete floors at the site. Attorney General James and the New York State Department of Environmental Conservation secured \$4 million to address this contamination and ensured that American Axle & Manufacturing will compensate New York for costs associated with the state's clean-up of the site.

Cleaning up Hazardous Waste in Western New York

THE BUFFALO NEWS

American Axle to compensate state for cleanup of ex-forge site

Stopping Wastewater Pollution

The Hudson River is important to New York's natural ecosystems and is enjoyed by many New Yorkers every year for recreation. Attorney General James is committed to holding those accountable who pollute this crucial waterway. Holcim Inc., a cement company operating in the town of Ravena, near Albany, leaked toxic pollutants into tributaries of the Hudson River for years, repeatedly violating laws established to ensure the health of our waters. Attorney General James partnered with the federal government to take action to end these violations and secured a \$850,000 penalty from the company. Part of this payment will be used to fund a project designed to reduce the flow of pollution into the Hudson River so it can continue to thrive for generations to come.



**NY Cement Plant To Pay
\$850K For Water Pollution**



Restoring and Improving Roberto Clemente Park

The Brentwood community on Long Island was unable to enjoy the popular Roberto Clemente Park for over three years because it was closed for cleanup after multiple companies used it as an illegal dumping ground for their contaminated construction waste. As a result, Attorney General James went after 33 companies for their role in contaminating Roberto Clemente Park, and, in May, delivered \$627,000 for the community from companies involved in the illegal dumping of contaminated waste in the park. These funds will be used to improve public park facilities in the local community so that residents can fully enjoy the green space they deserve.





Supporting Immigrant Communities

New York is a state built by immigrants, and continues to be home to one of the largest immigrant populations in the world. Attorney General James has long fought for equal treatment for immigrant communities that are too often preyed upon and discriminated against. Attorney General James will always work to ensure that New York and America remain welcoming places for people across the globe seeking a better life.

In December, Attorney General James co-led a coalition of 23 attorneys general in taking legal action in support of the Deferred Action for Childhood Arrivals (DACA) policy. The coalition pushed back on Texas-led efforts to end DACA by filing an amicus brief emphasizing the essential contributions of hundreds of thousands of DACA recipients (Dreamers) to public health, the economy, and communities across the country. These contributions were on full display during the COVID-19 pandemic when an estimated 34,000 Dreamers served on the front lines as health care workers, saving countless lives. Attorney General James is committed to upholding the promises made to Dreamers by fighting for DACA's survival.

Defending DACA



Eliana Fernández,
Make the Road New York

Protecting Immigrant Nurses

EDITORIAL

Albany Med's mistake

They were brought to this country to work, and coerced into staying under an agreement that required them, essentially, to pay onerous sums to buy back their freedom. It had all the feel of what, euphemistically, one might call indentured servitude. The state attorney general calls it human trafficking.

This scheme didn't take place in the shadows. It was right out in the open here in Albany. It wasn't run by some criminal organization, but by one of the most respected institutions in the region: Albany Medical Center.

The only thing perhaps more astounding is that Albany Med shows no sign of contrition or even a bit of self-reflection. Rather, it admits nothing and says it just settled to make the whole thing go away.

That's not what one would expect from a place devoted to improving the human condition.

The case concerned a long-standing practice by Albany Med to re-

THE ISSUE:

Albany Medical Center settles a human trafficking case with the state.

THE STAKES:

Its continued denial diminishes a respected institution.

To comment, visit nursesunion.com

cruit nurses from abroad, mainly from the Philippines, to deal with a shortage of nurses in New York and much of the rest of the United States. Their employment agreements stipulated that they pay up to \$20,000 if they resigned or were fired within three years. If they failed to comply, they could face legal action and the involvement of immigration authorities.

The practice came to light several years ago amid negotiations for the newly unionized nursing staff's first contract. Their union, the New York State Nurses Association, argued that the threats of stiff financial penalty, legal action, and possible deportation violated the federal Trafficking Victims Protection Act. Albany Med argued that it was a legitimate way of protecting its investment in bringing the nurses here. The union replied: "It's not a

to the state attorney general's office.

Over the past decade, according to Attorney General Letitia James, Albany Med enforced the provision against seven nurses, collecting \$82,000 from them. The settlement represents that money, plus interest. Albany Med also agreed, among other things, to remove the repayment provision from current and future employment contracts.

What's missing here, though, is an apology, or at least an acknowledgment that this amounted to exploitation. Albany Med admitted no guilt, and in a statement dripping with disdain, said that "it was not worth our time, effort or expense to fight these politically motivated allegations."

This is not Albany Med's finest moment. It is beneath an institution that has educated generations of healers, treated countless patients, helped the region through a frightening pandemic and had no small part in revitalizing the area of Albany. It occupies to take refuge in one of the easiest of dogmas, claiming it's a victim of some political agenda. This was, in a word, wrong. That it got off so easy, with nothing more than restitution and reform, makes it no less so.

Throughout the pandemic, health care workers heroically put their lives on the line each day, yet many faced punitive conditions. When the Attorney General's Office was notified that Albany Med Health System (Albany Med) unlawfully included a "repayment fee" provision in their employment contracts for nurses recruited from foreign nations, requiring them to pay \$20,000 in fees if they resigned or were fired within three years of employment, Attorney General James stepped in. The repayment provision threatened the nurses, most of whom were from the Philippines, with legal action and the involvement of immigration authorities if they did not make the payments. Attorney General James secured over \$90,000 from Albany Med for seven former nurses and ordered Albany Med to remove the repayment provision from all employment contracts.

Suing a Company for Deceiving and Preying on Vulnerable Immigrants

As part of a coalition that includes the Consumer Financial Protection Bureau and multiple attorneys general, Attorney General James brought a lawsuit against Libre by Nexus, a company that engaged in deceptive and illegal activities, while claiming to help immigrants in Immigration and Customs Enforcement (ICE) detention. The company charged exorbitant fees to clients and their families, claiming to pay their bonds, while concealing or misrepresenting the true cost of

their services. The company also attached GPS trackers to its clients and falsely claimed to be affiliated with ICE or other government actors, threatening clients with arrest and deportation if they did not pay their fees. Bad actors like Libre by Nexus exploit the fears of immigrant communities and target some of New York's most vulnerable residents. Attorney General James will use every tool in her arsenal to end their unlawful activity and the suffering they inflict.



Fighting for the LGBTQ+ Community

Attorney General James is a firm ally of the LGBTQ+ community and is dedicated to protecting everyone's right to express their gender identity and sexual orientation without fear of discrimination. From fighting to ensure that LGBTQ+ New Yorkers have equal access to the marketplace for goods and services, to leading multi-state coalitions to protect transgender students' rights, Attorney General James is committed to fighting to ensure that everyone has equal protections under the law.

Supporting the LGBTQ+ Community Across New York State

In December, Attorney General James scored a statewide victory for the LGBTQ+ community after a federal court ruled in her favor and dismissed a case brought by an Elmira wedding photographer, who sought to discriminate against LGBTQ+ couples. The wedding photographer filed a lawsuit against New York state, claiming that New York's anti-discrimination laws violated her rights. Attorney General James fought to defend the rights of the LGBTQ+ community to have equal access to all business services. Ultimately, the court agreed with Attorney General James and ruled that all New Yorkers are entitled to equal access to the public marketplace under the law.



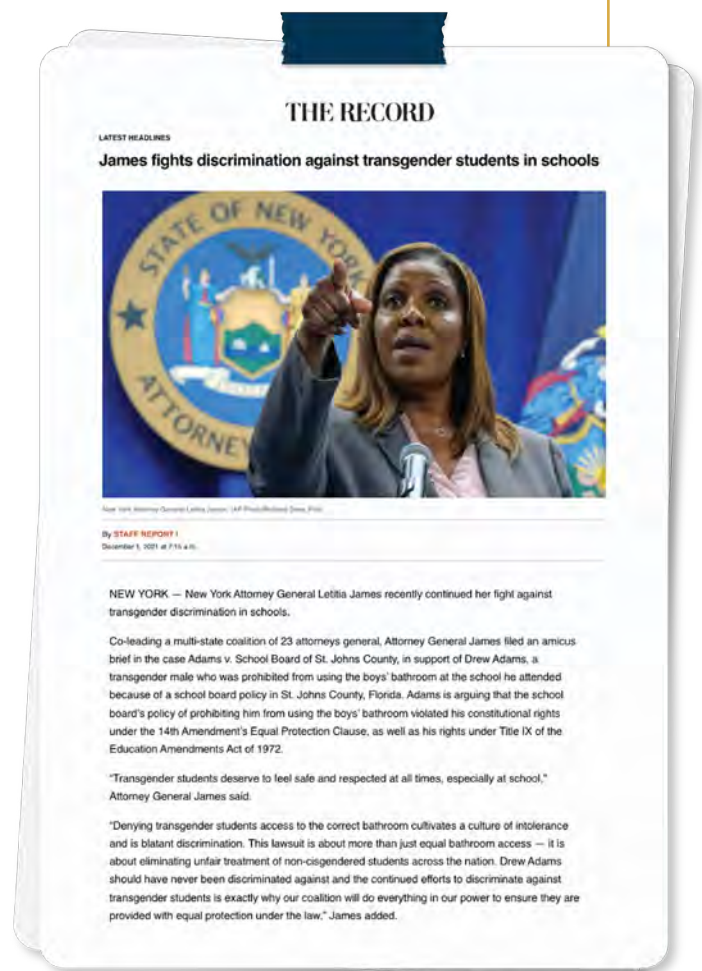
**Christian wedding photographer
who refused service to gay
couples loses case**



Protecting Transgender Students

In October, Attorney General James led a coalition of 20 attorneys general seeking to protect transgender students' right to participate in gender-segregated school sports. The attorneys general argued for the court to reject a lawsuit brought by four cisgender students who claimed that the participation of transgender students in gender-segregated sports violated the rights of cisgender girls. The coalition argued that Title IX of the Education Amendments of 1972 does not bar transgender female students from participating in gender-segregated sports according to their gender identity.

Attorney General James continued her fight against transgender discrimination in schools when she co-lead a coalition of 23 attorneys general supporting Drew Adams, a transgender male student who was prohibited from using the boys' bathroom at the Florida school he attended. The attorneys general argued that the school board's policy of prohibiting Adams from using the boys' bathroom violated his constitutional rights under the 14th Amendment's Equal Protection Clause, as well as his rights under Title IX of the Education Amendments Act of 1972.





Battling Against Hate Crimes and Discrimination

When the owner of Bumpy's Polar Freeze, an ice cream shop in Schenectady, New York, made violent threats and filed false, race-based police reports against peaceful Black Lives Matter protesters, Attorney General James took action and filed a lawsuit. Attorney General James won the lawsuit, and the owner of Bumpy's was required to pay \$500 to each of the nine victims he harassed and threatened. Attorney General James is committed to ensuring that every New Yorker is safe and protected regardless of their race.



Stopping False, Race-Based Police Reports



When the owner of Bumpy's Polar Freeze, an ice cream shop in Schenectady, New York, made violent threats and filed false, race-based police reports against peaceful Black Lives Matter protesters, Attorney General James took action and filed a lawsuit. Attorney General James won the lawsuit, and the owner of Bumpy's was required to pay \$500 to each of the nine victims he harassed and threatened. Attorney General James is committed to ensuring that every New Yorker is safe and protected regardless of their race.

Banning Discriminatory Housing Practices

In June, Attorney General James reached an agreement with Orange County and the Town of Chester to end their use of discriminatory housing practices that were designed to prevent members of the Jewish community from moving to Chester, New York. The agreement mandates that the county and the town comply with the Fair Housing Act and take preventative measures to ensure equitable housing practices moving forward. Any discrimination will be met with swift and decisive action by Attorney General James, so that every individual is treated fairly.



In April, Attorney General James led a group of local elected officials and community leaders in a walking tour of Manhattan's Chinatown to support small businesses that have been financially devastated by the COVID-19 pandemic. Together, the group visited local restaurants and shops, and encouraged New Yorkers to patronize Asian-American-owned businesses in Chinatown and other neighborhoods. Following the tour, Attorney General James held a community conversation with organization leaders to address the rise in anti-Asian hate crimes, discuss community concerns, and reiterate solidarity for New York's Asian-American community.



Public Safety

The safety of our communities will always be a top priority for Attorney General James. In 2021, she continued the vital work of holding individuals and groups accountable that endanger New Yorkers. The Attorney General's Office dismantled numerous trafficking rings that flooded our state with drugs and firearms. Moreover, she took gun violence head on by working with communities around the state to remove unwanted guns from our streets. Attorney General James also continues to defend New York's life-saving gun safety laws from attacks by the gun lobby that puts profits over people

Defending New York's Gun Safety Laws in the Nation's Highest Court

In November, Attorney General James defended New York's gun licensing law in the U.S. Supreme Court against attempts to undo it and all the protections it provides New Yorkers. Enacted in 1913, New York's Sullivan Law only allows individuals to carry concealed handguns in public upon meeting certain eligibility criteria and showing "proper cause." In 2019, after more than 100 years, the New York State Rifle & Pistol Association and two individuals sued New York state seeking to overturn the law. Attorney General James argued that the long history of governments regulating the carrying of firearms in public spaces shows that New York's law was consistent with the widely accepted practice of regulating firearms to protect public safety in public spaces.

As communities across the nation continue to suffer from senseless gun violence, the burden of protecting Americans from shootings has fallen on states, which is exactly what Attorney General James is fighting to defend in the nation's highest court.



Taking Unwanted Guns Off Our Streets

Attorney General James' Gun Buyback Program provides a safe option for New Yorkers to get rid of guns they do not want on a "no questions asked" basis. In 2021, through 18 gun buybacks and other efforts, Attorney General James successfully took in nearly 2,100 guns that were safely disposed of by law enforcement. In the most successful gun buyback of the year, which was held in Syracuse, Attorney General James took 342 guns off the streets and ensured that they will never fall into the wrong hands or be used for harm. Each gun that was secured at a gun buyback is a potential tragedy averted and a potential life saved.

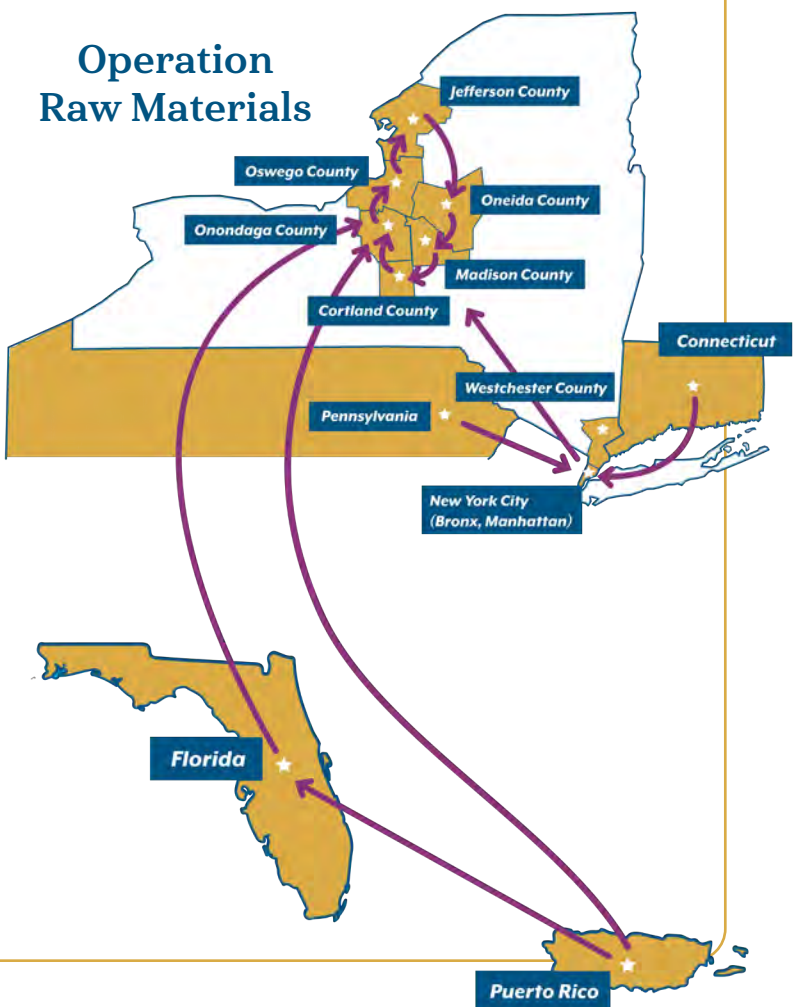


Dismantling Violent Drug and Gun Trafficking Rings

In 2021, Attorney General James' Organized Crime Task Force (OCTF) broke up more than six gun and drug trafficking rings in 20 counties throughout the state, indicted 221 individuals, and convicted more than 160 individuals for their crimes. As a result of the work of the OCTF and law enforcement partners

around the state, significant amounts of illegal drugs were seized over the course of the year: 6.4 kilograms of cocaine, 10 grams of heroin, 129 grams and 482 pills of fentanyl, 1,270 pills of oxycodone, and nearly 1.9 kilograms of methamphetamine.

In one of the largest busts of 2021 — dubbed “Operation Raw Materials” — Attorney General James indicted 78 individuals charged with 355 crimes for their alleged roles in two major drug trafficking networks that operated throughout New York state. Over the course of the two-year long investigation, Attorney General James seized approximately 32 kilograms of cocaine, 117 grams of heroin mixed with fentanyl, more than \$490,000 in cash, and 15 firearms, including nine ghost guns. In total, the seizures have an estimated street value of up to \$2 million.



In another major case, Attorney General James arrested and indicted 47 individuals for their alleged roles in two major drug and firearm distribution networks that trafficked heroin, cocaine, oxycodone, and firearms in the Capital Region. Over the course of that investigation — dubbed “Operation Cross Town Quarantine” — Attorney General James seized nearly 1.2 kilograms of cocaine, 140 grams of heroin mixed with fentanyl, oxycodone, \$40,000 in cash, and nine firearms, including one ghost gun.

Attorney General James also arrested and indicted 54 individuals for allegedly flooding the Capital Region with heroin laced with fentanyl, powder and crack cocaine, and methamphetamine. The year-long investigation — “Operation Garage Days” — led to the seizure of approximately two kilograms of methamphetamine, 1.5 kilograms of cocaine, 14 grams of heroin, four handguns, and \$25,000 in cash.

Attorney General James is committed to tackling organized drug and firearm trafficking from every angle, including by going after those who illegally sell dangerous drugs and firearms on our streets.



COMMUNITY CONVERSATION ON SEX TRAFFICKING IN THE BRONX

Attorney General James, Bronx Borough President Diaz Jr., District Attorney Darcel Clark, Council Member Vanessa Gibson, Coalition Against Trafficking in Women, Girls for Gender Equity, Not On My Watch, Safe Horizon, Sanctuary for Families, and STEPS to End Family Violence held a conversation on how to spot, prevent, and report sex trafficking in the Bronx.





Defending Workers

Hardworking New Yorkers move our state forward every day. Yet far too many workers face punitive or unsafe workplace conditions and struggle to make ends meet due to the actions of exploitative employers. Again and again, Attorney General James has stood up for working New Yorkers, recovering millions of dollars in lost wages, defending workplace protections, holding unscrupulous employers accountable, and ensuring workplaces are safe and free of abuse, intimidation, and harassment. For Attorney General James, protecting workers' rights is not a choice, it is a commitment that she has delivered on with fierce determination so that every worker is treated fairly and justly.

When the Attorney General's Office learned of unsafe working conditions at two Amazon facilities in New York state, Attorney General James took action by filing a lawsuit against the company for failing to provide adequate health and safety measures to protect workers against the spread of the COVID-19 virus. The lawsuit argued that Amazon unlawfully fired and disciplined employees who reported safety concerns and called on the multi-billion-dollar company to take all the necessary steps to ensure a safe work environment that is free of intimidation. Subsequently, in November, Attorney General James filed a motion to seek a preliminary injunction to force Amazon to immediately address health and safety concerns at an Amazon facility on Staten Island that employs over 5,000 workers. Specifically, the motion requested that the court appoint a monitor to oversee implementation of public health and safety measures and that the company offer interim reinstatement to an employee who was fired for complaining about the warehouse's deficient COVID-19 safety protocols.

Suing Amazon for Failing to Protect Workers



New York sues Amazon over worker pandemic safety issues



NY sues Amazon, saying it didn't protect workers from virus

lohud.

New York AG fires back at Amazon over COVID-19 response, employee safety



New York Attorney General sues Amazon, alleging 'deficient' Covid-19 response

TIMES UNION

Attorney general sues Amazon over COVID-19 workplace conditions

Recovering Millions of Unpaid Wages for Home Health Aides

For years, two major home health agencies – Intergen Health, LLC and Amazing Home Care Services – robbed thousands of home health aides out of millions of dollars in wages and paid sick leave. After a thorough investigation with the New York City Department of Consumer and Worker Protection, Attorney General James secured \$18.8 million for 12,000 home health aides. The multi-million dollar agreement, one of the largest of its kind in New York state, also requires the companies to implement new policies to prevent any future violations and comply with oversight from the Attorney General's Office and New York City authorities. Attorney General James will always fight to ensure that workers receive every dollar that they have rightfully earned.



NY home care health agencies ordered to pay over \$18M in stolen wages to 12K workers: AG



When workers are denied their fair share, Attorney General James will stand up to return what was unjustly taken from them. Attorney General James did just

that when the Doral Arrowwood Hotel and Conference Center in Westchester unlawfully fired 250 workers without adequate

legal notice, violating the New York Worker Adjustment and Retraining Notification ("WARN") Act and leaving the workers to fend for themselves at the start of the pandemic. Attorney General James successfully delivered \$2.7 million in lost wages to the 250 hotel workers.

Delivering Wages and Back Pay to Unlawfully Fired Workers

In July, Attorney General James returned \$590,000 to approximately 1,500 airport workers who were illegally forced to pay to launder their uniforms. Eulen America, an airline service company, deducted the laundry cost from the workers' minimum wage paychecks, shortchanging them. In addition to the monetary restitution secured by Attorney General James, Eulen agreed to additional terms to ensure pay equity and compliance with all labor laws moving forward.

Fighting for Airline Workers

In April, Attorney General James convicted a Staten Island Construction firm and two of its owners for withholding overtime wages from employees and failing to pay legally required unemployment contributions dating back years. The defendants were required to pay \$580,000 in restitution, more than \$150,000 of which will go to workers who were owed overtime.

Combatting Wage Theft and Unemployment Fraud in the Construction Industry



Protecting Consumers

Attorney General James will not tolerate deceitful and illegal tactics used to con New Yorkers out of their hard-earned money. From holding businesses responsible for deceptive and unjust practices, to shutting down the use of fraudulent advertisements; Attorney General James has fought and will continue to fight to protect the safety and financial wellbeing of consumers.

The Long Island Power Authority (LIPA) powers homes and businesses across Nassau and Suffolk counties and the Rockaways. While LIPA provides the actual electricity to customers, they outsource part of their operations to National Grid. An investigation by Attorney General James revealed that, over the course of more than four years, National Grid underreported to LIPA power output from homes when customers moved out and new customers moved in, costing the state public authority millions. Attorney General James was able to secure an agreement with National Grid to collect \$6 million for submitting false reports to LIPA. The money will be used to subsidize heat pump modernization and replacement for low- and moderate-income Long Islanders.

Holding Long Island Power Utilities Accountable

Patch

AG Reaches Settlement With National Grid Over LIPA Fraud

LAW360

National Grid To Pay \$6M Over NY Electric Misrepresentations

Newsday

Grid to pay \$6M to settle charges of falsely reporting energy use

Protecting Patients from Scams

In November, Attorney General James secured a \$5.1 million judgment against Park Avenue Stem Cell, a now-defunct New York City for-profit stem cell clinic, and its managing doctor for fraudulently and illegally advertising their stem cell procedures. The judgment resolved a lawsuit brought by Attorney General James after the defendants scammed patients out of thousands of dollars for unproven and potentially harmful medical treatments involving stem cells. The clinic advertised that they could treat multiple serious medical conditions using patients' own stem cells. There is currently no adequate scientific evidence that stem cells can effectively treat any of these conditions. Despite this, the defendants charged consumers nearly \$4,000 per procedure, with several consumers paying over \$20,000 for multiple procedures. As outlined in the lawsuit, the defendants misrepresented that their procedures were approved by the U.S. Food and Drug Administration (FDA), that their patients were participating in an established research study, and that their procedures had been endorsed by several scientific and medical organizations.

Securing refunds for New Yorkers Who Lost Power Following Tropical Storm Isaias

Attorney General James secured over \$534,500 from Con Edison for over 2,800 consumers in New York City and Westchester County who went without power and experienced food spoilage following Tropical Storm Isaias. The agreement resolved an investigation of Con Edison that found that the power company failed to pay reimbursements in accordance with the instructions it provided to consumers for food spoilage on its claim forms. As part of the agreement with the Attorney General's Office, Con Edison was also required to pay New York state \$20,000 in costs and penalties for violating New York's business and executive laws.

After multiple complaints were submitted to her office, Attorney General James initiated an investigation into Ishmael Osekre, an individual who deceived consumers into buying pricey tickets to the New York City African Food Festival in 2016 and the New York City Pizza and Burger Festivals in 2017. However, the food and entertainment he promised never materialized. Osekre also cheated vendors and production and event staff by not paying them or issuing bad checks. Attorney General James' investigation led to a court order that not only barred Osekre from producing events in New York but also required him to pay a total of \$311,398 in restitution and penalties.

Delivering Justice for New Yorkers Burned by a Food Festival Fraudster

When hundreds of New Yorkers did not receive the PlayStations, Xboxes, and other hard-to-find video game consoles they ordered for the holidays, Attorney General James stepped in to stop the grinch who was spoiling the season.

Attorney General James filed a lawsuit against Tandria Faulkner – a New Jersey woman operating under the names Sonjia Posh Boutique LLC and Prestigious Marketing Concepts, Inc. — for failing to deliver purchases to New Yorkers and other consumers as promised before the 2020 holidays. The lawsuit alleges that Faulkner accepted hundreds of orders only to offer shifting excuses and refuse refunds to consumers who complained that they never received their goods. In December, Attorney General James obtained a temporary restraining order to freeze Faulkner's bank accounts and stop her from taking any further orders for items she cannot deliver.

Suing a Grinch Who Failed to Deliver Holiday Video Game Consoles

Cracking Down on Animal Cruelty on Long Island

Animal mistreatment is tragic and abhorrent. In December, Attorney General James filed a lawsuit against a pet store, Shake A Paw, for selling sick and injured animals to unaware consumers. An investigation by the Attorney General's Office revealed that two Shake A Paw locations on Long Island violated state laws, lied about the health and breed of puppies, and bought puppies from dangerous puppy mills. On multiple occasions, consumers bought puppies that died within days or weeks of purchase.

Attorney General James took action and secured a court order to protect the puppies. As a result of the court order, both Shake A Paw locations on Long Island were banned from purchasing and reselling animals in New York, their bank accounts were frozen to secure funds for potential restitution for defrauded consumers, and all puppies currently in Shake A Paw's possession were examined by an Attorney General's Office-appointed veterinary team prior to their sale. In New York, beloved furry friends have rights too and Attorney General James is committed to protecting them.





**Expanding Access to Safe
and Affordable Housing**

Safe, livable housing should be accessible to every New Yorker, but far too many are denied this fundamental right. From holding landlords accountable for avoiding their responsibilities and putting tenants in danger, to cracking down on landlords who fail to comply with lead poisoning prevention laws, to preserving affordable housing throughout our communities; Attorney General James has worked diligently to protect and ensure that New Yorkers have the housing they rightfully deserve.

Protecting Children From Lead Poisoning

Every New Yorker — especially children — has a right to live a healthy life without the threat of lead paint poisoning. Attorney General James sued Chestnut Holdings, a property management corporation, for failing to protect children from lead paint hazards in New York City. The corporation put the health of its tenants at risk by repeatedly violating New York City's lead poisoning prevention laws, which require landlords to take critical measures to prevent children under six years old from being exposed to paint with dangerously high levels of lead. The agreement stipulates that Chestnut Holdings will pay \$300,000 to the Attorney General's Office for initiatives to protect children from lead poisoning and ensure that all of its more than 6,000 apartments throughout New York City are in full compliance with the law.

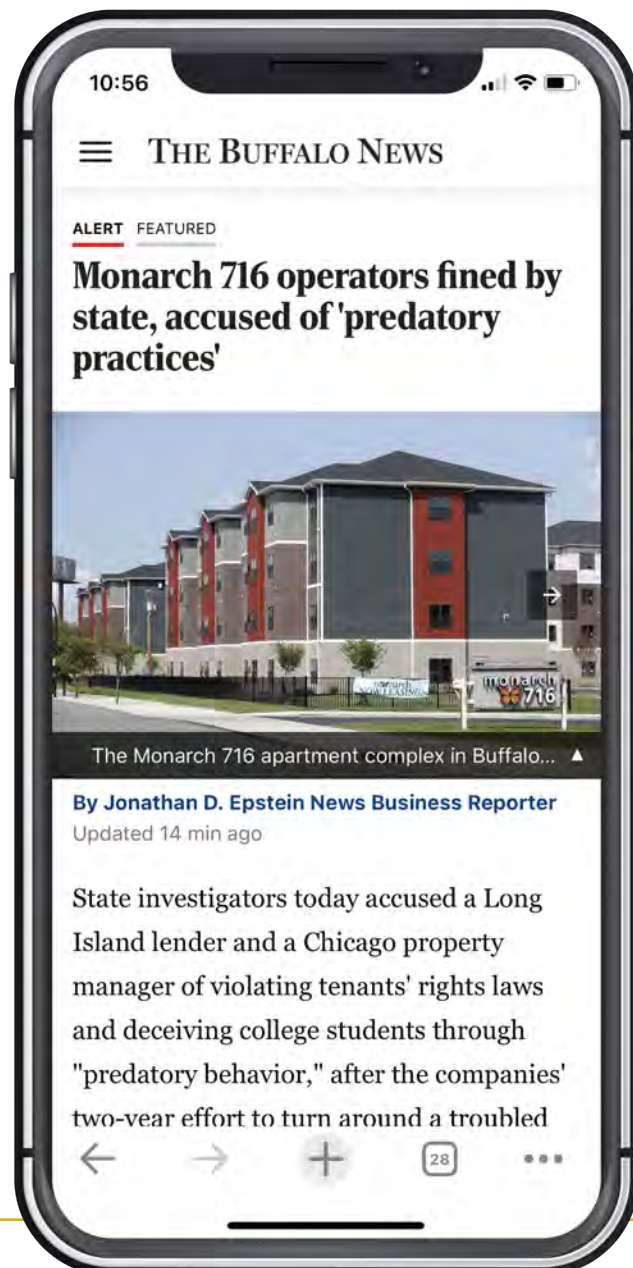
Attorney General James also made huge progress in ensuring the safety of New York's youngest residents by requiring major New York City landlord A&E Real Estate Holdings to bring its apartments into compliance with New York City's lead poisoning prevention laws, and pay \$510,000 to the Attorney General's Office for initiatives aimed at protecting children from lead poisoning.

Lead paint in housing continues to be a serious problem outside of New York City as well. Attorney General James sued Syracuse landlord John Kiggins and his company, Endzone Properties, Inc., for repeatedly violating lead paint laws and failing to address lead paint hazards. Over a period of more than six years, at least 18 children of color were poisoned by lead paint while residing in 17 of Endzone's estimated 89 properties. This company took advantage of low-income families of color, failed to provide them with the protections required by law, and knowingly put children in harm's way. Attorney General James will do everything within her power to bring these bad actors to justice.



After receiving a complaint that a private student housing provider in Buffalo was deceiving students, Attorney General James opened an investigation into Monarch 716. The investigation found that Monarch 716's operators routinely coaxed students into signing leases, then demanded thousands of dollars in rent while denying students access to those apartments. As part of an agreement with Monarch 716's operators, Attorney General James canceled over \$200,000 in illegal debt for dozens of students and recovered more than \$65,000 in restitution for hundreds more, helping students get back on their feet after being defrauded.

Canceling Illegal Housing Debt





Tackling Financial Crimes and Fraudulent Schemes

Using the full authority of her office, Attorney General James has stood up to corporate corruption and held perpetrators of financial fraud accountable for the harm they inflict. From taking on lawlessness in the cryptocurrency industry, to squashing Ponzi and other financial schemes, to cracking down on those who defraud the state's safety net; she has continued to bring to justice the predators who cheat our system. From Wall Street to Main Street, Attorney General James remains committed to finding and prosecuting the bad actors who rob New Yorkers and destabilize markets.

In July, Attorney General James secured \$97 million in restitution from TIAA-CREF Individual & Institutional Services, LLC for more than 20,000 teachers, public-sector employees, and other hardworking customers after the company misled them into moving their retirement savings into higher-fee accounts. TIAA's

advisors falsely described themselves as “objective” and “non-commissioned” although they were financially incentivized to pressure clients into moving their investments from low-cost, employer-sponsored retirement plans to higher-cost, individually managed accounts. Many of the advertised features of the individually managed accounts were also available for free in the clients' employer-sponsored plans. Over the course of six years, the scheme netted the company hundreds of millions of dollars in fees. Partnering with the U.S. Securities and Exchange Commission (SEC), Attorney General James put a stop to the company's manipulative sales practices while recouping millions for affected investors. After Attorney General James' and the SEC's settlements were announced, TIAA discovered additional affected clients. At the request of Attorney General James, TIAA made a voluntary supplemental payment of \$10 million to ensure that all those impacted will receive appropriate restitution totaling \$107 million.

Putting Money Back in Investors' Pockets

Securing Nearly Half a Billion Dollars for Defrauded Investors

An investigation by Attorney General James found that GTV Media Group, Inc. and its parent company, Saraca Media Group, Inc. — both tied to exiled Chinese former billionaire Guo Wengui and, previously, to Steve Bannon, who briefly served as a non-executive director of GTV Media—unlawfully sold shares of stock in GTV Media, and two digital instruments promoted as cryptocurrencies, without registering in New York State. GTV Media raised hundreds of millions of dollars from over 1,200 investors, including New Yorkers, via the public offer and sale of its stock. Simultaneously, the two firms raised over \$30 million in pre-sales of their purported cryptocurrencies. However, GTV Media and Saraca Media Group failed to follow the law and register as securities dealers and/or commodities broker-dealers prior to conducting these activities. In an agreement signed with the Attorney General's Office, and in accord with a contemporaneous U.S. Securities and Exchange Commission (SEC) order, the two companies will repay nearly \$480 million to harmed investors. Firms that wish to sell stocks and digital currencies in New York state must abide by the same laws as everyone else.



Wielding New Tools Against Financial Fraudsters

Attorney General James recovered nearly \$7 million for investors defrauded by private equity fund manager Laurence Allen by applying the Martin Act, which grants the Attorney General's Office broad law-enforcement powers to conduct investigations of suspected securities fraud violations and, where appropriate, to commence civil and criminal prosecutions to protect investors. Allen used the money he stole from investors to pay himself exorbitant annual salaries, rather than providing returns for his

investors. He also funneled the money into various holdings, all owned by him. Attorney General James was able to not only deliver \$7 million in relief to harmed investors but was also able to secure an injunction against Allen, preventing him from harming more potential investors.

In February, Attorney General James filed an ongoing lawsuit to put a stop to an outrageous financial fraud scheme. GPB Capital promised investors an eight percent annual return on their investments, but never delivered a cent of profit to any of those who invested in the funds. Instead, the private equity fund's principals used investors' funds to pay off other investors and support their own lavish lifestyles, including luxury vacations, private planes, sports cars, and millions of dollars in direct payments to themselves and family members. Thousands of investors across the country, including New Yorkers, were fleeced out of more than \$700 million by GPB Capital.

Corralling Corrupt Wall Street Fat Cats



Financial crimes devastate victims' lives, drain our economy, and cost taxpayers billions of dollars. It is imperative that the perpetrators behind these brazen crimes be brought to justice. In 2020, Attorney General James convicted Michael T. Mann for laundering more than \$1 billion through his network of payroll companies. His crimes left hardworking employees in the lurch and wreaked havoc on small and big businesses alike. In August, Attorney General James made sure Mann will do the time he deserves, securing a sentence of up to 24 years in state prison in addition to ordering Mann to pay more than \$100 million in restitution to his victims.

Bringing Financial Criminals to Justice

Recovering \$105 Million from a Tax Evading Hedge Fund

Attorney General James successfully stopped a greedy attempt to bilk New Yorkers out of tens of millions of dollars in taxes. Through his firm, Sandell Asset Management Corporation, Thomas E. Sandell earned over \$450 million in fees from services performed in New York City in 2017.

Instead of paying his fair share of state and local taxes, Sandell tried to dodge his responsibility through an elaborate scheme that included opening shell offices in Florida and funneling payroll and property through another entity he owned. Attorney General James secured \$105 million in damages and back taxes from Sandell. Attorney General James remains committed to ensuring that those who knowingly commit tax fraud pay a steep price for doing so.

Policing the Cryptocurrency Market to Protect Investors

The rapid growth of the cryptocurrency industry has spawned a host of bad actors, intent on lining their pockets by ignoring the rules and taking extreme risks with other people's money. In 2021, Attorney General James continued her fight to crack down on fraudulent and deceptive practices throughout the virtual currency marketplace.

Specifically, the Attorney General's Office reached agreements with Bitfinex and Tether to end all trading activity with New Yorkers after the companies engaged in several deceptive practices including Tether falsely representing that its stablecoins were fully backed by U.S. dollars. Moreover, Attorney General James filed a lawsuit to hold Coinseed and its top executives accountable for willfully disregarding numerous securities and commodities laws, putting thousands of investors at risk, and failing to disclose fees they charged for trading virtual currencies. Actions such as these put the virtual currency industry on notice that it will be held accountable if it engages in fraud or does not fulfill its obligations regarding registration with state regulators when doing business in New York state.

When the house of cards that Carl Carro and James Doyle built by deceiving victims into investing in their sham “headhunting” companies collapsed, Attorney General James moved quickly to hold the fraudsters accountable. Carro and Doyle were charged with allegedly luring investors with false promises of interviews for board positions, then offering “no-risk” investment opportunities in their firm. However, an Attorney General’s Office audit revealed that investor funds were used for personal expenses and to pay back previously defrauded investors. Attorney General James is fighting back on behalf of the victims who were scammed out of more than \$1 million in hard-earned savings. In January, the duo were arrested and indicted on a 42-count felony complaint charging them with multiple counts of money laundering, grand larceny, and securities fraud. Attorney General James will always move to swiftly bring to justice those who traffic in financial deceit.

Ending a Decade-Long Ponzi Scheme

ROCHESTER
FIRST.COM

**Arrests made in 8 year long
‘Ponzi scheme’ that defrauded
investors of over
\$1M**

Attorney General James secured \$6 million from precious metals dealer Lear Capital for fraudulently charging consumers exorbitant commissions — up to 33 percent — on millions of dollars in sales. Lear persuaded customers, many of whom were elderly residents of Western New York, to invest their retirement savings in precious metals, never disclosing their hefty fees. The company is now revising its business practices in New York and making the \$6 million payment to give refunds to eligible New York customers who were affected by Lear Capital’s misconduct. The company has also agreed to provide New York consumers with clear disclosures of its fees and a 24-hour cancellation period.

Changing Business Practices that Prey on Elderly Customers

NY AG James
@NewYorkStateAG

We're suing @LearCapital for cheating nearly a thousand New Yorkers, including seniors trying to protect their life savings, out of almost \$10 million in precious metal investments.

Our suit seeks to immediately stop Lear's illegal scheme and return millions to those impacted.



Rooting Out Corruption

The people of New York deserve the best that government has to offer, but that cannot happen unless our public servants adhere to the highest standards of transparency, integrity, and respect. Attorney General James has made it a priority to hold elected officials accountable for any misdeeds. In 2021, that vital work continued.

In November, Attorney General James secured the guilty pleas of the nonprofit Millennium Care, Inc. and its Executive Director, Ethel Denise Perry, for stealing millions of dollars intended for homeless New Yorkers. Between 2013 and 2016, Perry illegally took more than \$2 million from Millennium Care for luxury shopping sprees, and to pay other personal expenses. She also hired her brother and nephew, and paid them far in excess of their reported salaries and underreported or failed to pay taxes between 2013 and 2019. Perry accepted a felony plea agreement that bars her from nonprofit service and requires her to pay the \$1.1 million that she owes in New York City and state taxes, penalties, and interest during a five-year probation sentence. Millennium Care, Inc. will pay a fine of \$2.4 million and will be dissolved.

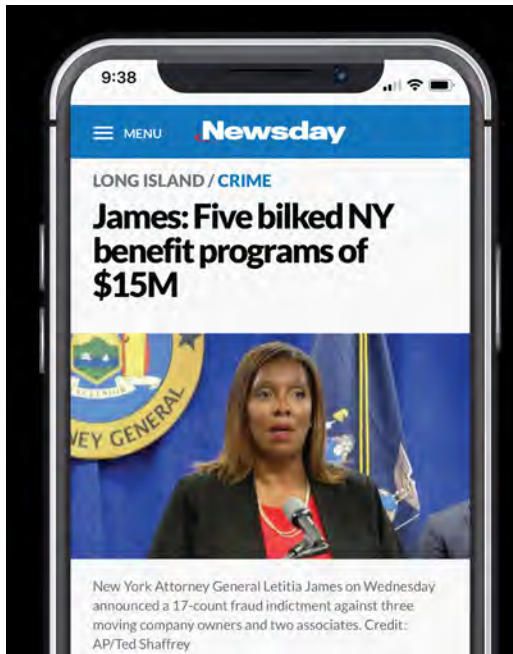
Convicting a Bronx Nonprofit Executive for Stealing Millions

In December, Attorney General James indicted Rensselaer County Executive Steve McLaughlin for an alleged illegal scheme hatched in 2017 to repay a debt he owed to a staffer. A check for \$5,000 from the “Steve McLaughlin for County Executive” campaign fund was made out to a political consulting firm used by McLaughlin, and that company then paid off a personal debt he owed to a staffer.

Indicting Rensselaer County Executive Steve McLaughlin



Cracking Down on a Bid-Rigging Scheme



Following a joint investigation by their respective teams, Attorney General James and the New York City Department of Investigation (DOI) secured a 17-count indictment and the arrest of 10 people and corporations for allegedly operating a decades-long bid-rigging scheme. The defendants submitted thousands of false and inflated bids to the New York state and New York City governments for moving and storage services intended to aid public benefits recipients, domestic violence survivors, and other crime victims urgently in need of relocation services. The defendants collected more than \$15 million for over 25,000 moving jobs, the vast majority of which are believed to have been rigged and fraudulently obtained.

Indicting Asbestos Investigators for Filing Fraudulent Inspection Reports



Following a joint investigation by their respective teams, Attorney General James and the New York City Department of Investigation (DOI) indicted four Certified Asbestos Investigators for allegedly repeatedly filing false asbestos inspection reports, putting the health and safety of workers and New York City residents at risk. The defendants submitted fraudulent reports for inspections that took place on days when they were out of the country.



Protecting Workers and Students from Sexual Harassment

Sexual harassment is unacceptable in any setting and must not be tolerated. For too long, this despicable behavior has caused immediate and long-term trauma on survivors, robbing them of their sense of security, shaking their confidence, and impacting them for a lifetime. Attorney General James is fighting to stop harassment in New York's schools and workplaces by holding perpetrators, as well as those who have turned a blind eye to this destructive behavior, accountable for their actions.

Holding Celebrity Chefs Accountable

Celebrity and fame are no excuse to flout the law, yet for years, Chef Mario Batali and Joseph Bastianich – and their management company B&B Hospitality – fostered a hostile work environment that permitted a sexualized culture of misconduct and harassment at their restaurants Babbo, Lupa, and the now-closed Del Posto in New York City. Attorney General James found widespread reports of unwanted touching, sexual advances, and explicit comments made by managers and coworkers to other employees of the restaurants. As a result of the investigation, Attorney General James secured \$600,000 for at least 20 former employees who were victims of harassment and retaliation. Survivors of workplace harassment and discrimination are continuing to sound the alarm against sexual misconduct in the workplace, and Attorney General James will use every power of her office to support them and hold perpetrators accountable.

The New York Times

\$600,000 Sexual Harassment Settlement Reached in Batali & Bastianich Case

An investigation by the New York State attorney general describes a culture of widespread sexual harassment and retaliation at the Batali & Bastianich Hospitality Group.



The chef Mario Batali has signed a settlement with the New York State attorney general over sexual harassment claims from workers who

Educational institutions have a responsibility to ensure the safety and wellbeing of their students, but a multi-year investigation by the Attorney General's Office found that the Niagara Wheatfield Central School District (NWCDs) deliberately ignored student complaints of rape, assault, sexual harassment, and gender-based bullying, and took no action to protect them from their assailants and harassers. As a result, the survivors — mostly young women — suffered physical, mental, and emotional trauma, which led to some students dropping out of school and losing access to educational opportunities. Attorney General James sued NWCDs for its failure to respond to incidences of sexual assault and bullying and is fighting to put better procedures and systems in place to protect students.

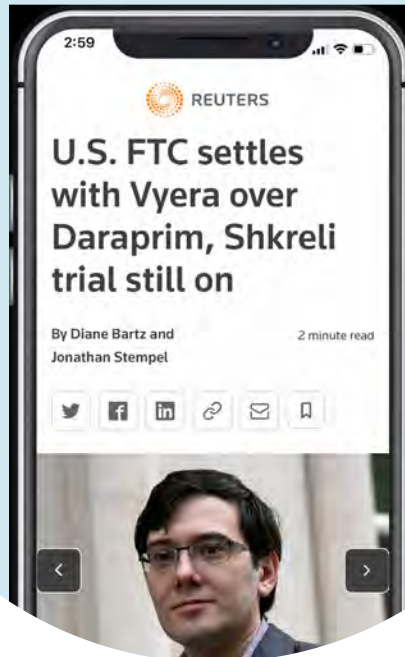
Protecting Students from Sexual Abuse

On Long Island, following disturbing reports by dozens of former students, Attorney General James launched an investigation into the Babylon School District over allegations of widespread sexual abuse and misconduct against former Babylon High School students by their teachers and coaches. The safety and wellbeing of students — both past and present — is of utmost importance, and Attorney General James will continue to do everything in her power to protect students' right to a safe learning environment.

Law enforcement agencies across the state have the responsibility to look after the wellbeing of all residents, including incarcerated individuals. However, for years, the Erie County Sheriff's Office turned a blind eye to rampant sexual misconduct allegations perpetrated by correction officers at its facilities. The Attorney General's Office successfully negotiated an agreement with the Erie County Sheriff's Office to follow mandated procedures to timely and effectively address allegations of sexual misconduct by correction officers and incarcerated individuals at the Erie County House of Correction and the Erie County Correctional Facility. With the agreement, Attorney General James required the Erie County Sheriff's Office to first confront the harsh realities of its correctional facilities and take necessary measures to prevent the misconduct that has jeopardized the safety and wellbeing of incarcerated individuals for far too long. New Yorkers deserve transparency, accountability, and honesty from their law enforcement agencies — Attorney General James will ensure that they get it.

Stopping Sexual Misconduct in Correctional Facilities





Protecting New Yorkers from Prescription Drug and Healthcare Fraud

Attorney General James believes that health care is a basic right for all, not a luxury for the fortunate. She has taken on companies in New York that mistreat patients, provide unlawful services, defraud the state's medical safety net, and wildly inflate the cost of vital medications. Attorney General James will never stop fighting to make sure that all individuals have access to quality health care services and the life-saving prescriptions they need.

In December, Attorney General James announced an agreement that will end the illegal and monopolistic behavior of Viera Pharmaceuticals (previously known as Turing Pharmaceuticals) and one of its former CEOs, Kevin Mulleady. The agreement forces the company to pay up to \$40 million and bans Mulleady from almost any role at a pharmaceutical company for seven years. The action stems from a 2020 lawsuit Attorney General James filed against Viera for antitrust violations that stifled competition and permitted the defendants to maintain their monopoly profits for their more than 4,000 percent overnight increase of the life-saving drug Daraprim. New Yorkers can trust the Attorney General's Office to hold companies and individuals accountable for their illegal behavior.

Securing Millions From Viera Pharmaceuticals



NY AG James
@NewYorkStateAG

We secured \$40 million from Viera Pharma and banned Kevin Mulleady from the pharma industry for seven years for illegally monopolizing the market of the life-saving drug Daraprim.

I won't allow anyone to line their own pockets at the expense of our most vulnerable.



NY AG James @NewYorkStateAG · Jan 27, 2020

We're suing 'Pharma Bro' Martin Shkreli & Viera Pharma for illegally monopolizing the market of the life-saving drug Daraprim.

We filed this lawsuit w/@FTC to end Viera's conduct, make the company return illegal profits & ban Shkreli from working in the pharma industry again.

[Show this thread](#)

Rooting Out Medicaid Fraud

Medicaid is a critical national program that provides health services to low-income individuals. Unfortunately, there are bad actors who seek to defraud the Medicaid program to line their own pockets — stealing taxpayer dollars and putting patients at risk. Attorney General James' Medicaid Fraud Control Unit investigates, penalizes, and prosecutes individuals and entities that are responsible for improper or fraudulent Medicaid billing practices.

In 2021, Attorney General James concluded 50 major investigations, recovered more than \$72 million that had been improperly billed to New York's Medicaid program, and continued to monitor individuals and entities across the state for violations.

Among those cases, Attorney General James, together with the U.S. Attorney's Office in the Western District of New York and Pennsylvania, secured \$2.7 million from a health care company operating clinics in New York and Pennsylvania for allegedly treating patients with unsterilized and potentially dangerous tools. Upper Allegheny Health System billed Medicaid for dental services where it failed to sterilize dental handpieces between patients.

Additionally, Attorney General James indicted a Bronx clinic owner, Leslie Montgomery, for allegedly stealing more than \$4 million from New York taxpayers in an elaborate scheme that included luring individuals into providing their personal information through the advertisement of a fake housing assistance program. Montgomery then allegedly used the information to submit false claims to a Medicaid-funded organization for back braces that were not needed and never ordered by patients.



About the Office of the Attorney General

As head of the Department of Law, the Attorney General is both the “People’s Lawyer” and the state’s chief legal officer. The Attorney General serves as the guardian of the legal rights of the citizens of New York, its organizations, and its natural resources. Additionally, the Attorney General advises state agencies and defends actions and proceedings on behalf of the state.

The Attorney General’s Office serves all New Yorkers in numerous matters affecting their daily lives. The Office protects consumers and investors, oversees charitable institutions, ensures public health and the health of the environment, and safeguards civil rights and the rights of workers and businesses across the state.

The legal functions of the Attorney General’s Office are divided primarily into five major divisions: Appeals and Opinions, State Counsel, Criminal Justice, Economic Justice, and Social Justice.

The Attorney General’s Office has more than 1,700 employees located in 16 offices throughout the state.



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