



ANDREW M. CUOMO  
GOVERNOR

NEW YORK STATE  
DIVISION OF HUMAN RIGHTS

NEW YORK STATE DIVISION  
OF HUMAN RIGHTS  
on the Complaint of

MELISA McCARTHY and JENNIFER  
McCARTHY,

Complainant,

v.

LIBERTY RIDGE FARM, LLC, CYNTHIA  
GIFFORD, ROBERT GIFFORD,

Respondents.

NOTICE AND  
FINAL ORDER

Case Nos. 10157952  
10157963

**PLEASE TAKE NOTICE** that the attached is a true copy of the Recommended Findings of Fact, Opinion and Decision, and Order (“Recommended Order”), issued on July 2, 2014, by Migdalia Pares, an Administrative Law Judge of the New York State Division of Human Rights (“Division”). An opportunity was given to all parties to object to the Recommended Order, and all Objections received have been reviewed.

**PLEASE BE ADVISED THAT, UPON REVIEW, THE RECOMMENDED ORDER IS HEREBY ADOPTED AND ISSUED BY THE HONORABLE HELEN DIANE FOSTER, COMMISSIONER, AS THE FINAL ORDER OF THE NEW YORK STATE DIVISION OF HUMAN RIGHTS (“ORDER”) WITH THE FOLLOWING AMENDMENTS:**

- Interest at a rate of nine percent per annum on both the mental anguish award and the civil fine and penalty shall accrue from the date of the Commissioner's Final Order until the date payment is made (not "from sixty days after the date of the Commissioner's Final Order or until the date payment is made," as stated in the Recommended Order).
- A civil fine and penalty of greater than \$50,000 for cases in which a respondent's actions were wilful, wanton and malicious is permissible by statute, not required, as stated in the Recommended Order. *See* Human Rights Law § 297.4(c).

In accordance with the Division's Rules of Practice, a copy of this Order has been filed in the offices maintained by the Division at One Fordham Plaza, 4th Floor, Bronx, New York 10458. The Order may be inspected by any member of the public during the regular office hours of the Division.

**PLEASE TAKE FURTHER NOTICE** that any party to this proceeding may appeal this Order to the Supreme Court in the County wherein the unlawful discriminatory practice that is the subject of the Order occurred, or wherein any person required in the Order to cease and desist from an unlawful discriminatory practice, or to take other affirmative action, resides or transacts business, by filing with such Supreme Court of the State a Petition and Notice of Petition, within sixty (60) days after service of this Order. A copy of the Petition and Notice of Petition must also be served on all parties, including the General Counsel, New York State Division of Human Rights, One Fordham Plaza, 4th Floor, Bronx, New York 10458. Please do not file the original Notice or Petition with the Division.

ADOPTED, ISSUED, AND ORDERED.

DATED: **AUG 08 2014**  
Bronx, New York

A handwritten signature in black ink, appearing to read "Helen Diane Foster", written over a horizontal line.

HELEN DIANE FOSTER  
COMMISSIONER

TO:

Complainant

Melisa McCarthy  
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Complainant

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Respondent

Liberty Ridge Farm, LLC  
Attn: Cynthia Gifford  
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Respondent

Cynthia Gifford  
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Respondent

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Respondent Attorney

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Hon. Eric T. Schneiderman, Attorney General  
Attn: Civil Rights Bureau  
120 Broadway  
New York, New York 10271

State Division of Human Rights

Robert Goldstein, Director of Prosecutions  
Lilliana Estrella-Castillo, Chief Administrative Law Judge  
Migdalia Pares, Administrative Law Judge  
Michael Swirsky, Litigation and Appeals  
Caroline J. Downey, General Counsel  
Melissa Franco, Deputy Commissioner for Enforcement  
Peter G. Buchenholz, Adjudication Counsel  
Matthew Menes, Adjudication Counsel