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JOYCE A. SNYDER,

Plaintiff,

v.

FACES MAGAZINES, INC., d/b/a/ and/or
a/k/a MAGNA PUBLISHING GROUP,
SWANK PUBLICATIONS, INC., GREAT
EASTERN COLOR LITHOGRAPHIC and
BROADWAY PUBLISHING
CORPORATION; and LOUIS PERRETTA

Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
BERGEN COUNTY
DOCKET NO.: L-7420-11

CIVIL ACTION

COMPLAINT AND JURY DEMAND

SUPERIOR COURT BERGEN COUNTY
FILED

AUG 26 2011

Jim Goodman
CLERK

Plaintiff Joyce A. Snyder by way of Complaint against Defendants Faces Magazine, Inc.,

d/b/a and/or a/k/a Magna Publishing Group, Swank Publications, Inc., Great Eastern Color
Lithographic, and Broadway Publishing Corporation, herein collectively known as Faces
Magazines, Inc., and Louis Perretta, hereby states and alleges as follows:

PARTIES

1. Plaintiff Joyce A. Snyder is a natural person residing in New York City, New
York. At the time of her unlawful termination in February 2011, Ms. Snyder was an employee of
Defendant Faces Magazine, Inc.

2. Defendant Faces Magazines, Inc., ("Faces") is a New York corporation, which
maintains its principal business at 210 East State Route 4, Suite 211, Paramus, New Jersey.
Faces publishes several pornographic magazine titles, including, but not limited to, Swank,
Genesis, Gallery, Club, Just 18, Fox, and Velvet, among several others.

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3. Defendant Louis Perretta served at all relevant times as the Owner of Faces. Upon information and belief, Mr. Perretta resides in New Jersey.

BACKGROUND FACTS

4. Ms. Snyder, a seasoned editor, first became affiliated with Broadway Publishing, a/k/a Swank Magazines, in the late 1970s, when she worked as a freelance contributing writer to Swank magazine. At this time, Broadway Publishing published several titles, including Swank and Stag, among others. The titles were owned by Charles "Chip" Goodman, and featured only softcore pornographic content.

5. Thereafter, in 1980, Ms. Snyder became employed by Swank Magazines as a full-time staff member. When she was first hired, Ms. Snyder served as an Editor and worked on several titles within the company.

6. Several years thereafter, Ms. Snyder was promoted to Editorial Director. In this position she was responsible for approving the final layout boards of several magazines, selecting and creating covers, coordinating publishing policies, and creating titles as well as future ideas and themes. Ms. Snyder was highly successful in her position as Editorial Director, and was continually given additional assignments and responsibilities.

7. During this time, Ms. Snyder also conceived of and created X-Rated Cinema magazine for Broadway Publishing, which went on to become one of its most esteemed and popular titles.

8. Ms. Snyder was highly accomplished in her field and her experience was expansive. To that end, she also branched into other creative avenues and worked as a producer, production manager and screenwriter in the adult film industry, which garnered her several awards and accolades.

9. In late 1992, Broadway entered into an Agreement with Defendants, wherein Defendants would purchase all of Broadway's softcore pornographic magazines. To that end, all of Broadway's employees were terminated in or around late December 1992.

10. Thereafter, in or around early January 1993, Faces completed the purchase of Broadway's titles, and hired all of Broadway Publishing's staff who worked on the softcore pornographic titles. It was at this point that Ms. Snyder became an employee of Defendant Faces.

11. Ms. Snyder was hired into Defendant Faces as an Editorial Director. Her duties included, but were not limited to, dealing with all aspects of procuring the rights to photographs from photographers for use in Defendants' publications. She also maintained several of her prior editorial duties and took on the role of "trouble shooter" whenever a problem with a publication arose. Ms. Snyder also created "pick-ups," which were monthly collections of themed-materials, culled from previously generated and created content.

12. For the length of her employment, Ms. Snyder worked for Defendants without any issues regarding job performance or abilities. She always performed her duties with the utmost care, diligence and skill, and was never disciplined or given any negative performance reviews or evaluations.

13. Ultimately, Ms. Snyder began observing certain discriminatory trends within Defendant Faces that culminated in her unlawful termination in 2011.

14. For example, Ms. Snyder observed that Defendants started a practice of hiring younger male editorial assistants with substantially less experience than Ms. Snyder, and promoting them into higher positions on popular magazines with large circulations in a short period of time. Ms. Snyder, despite her several years of service and experience, received only low-rung assignments on publications with very small readership. This practice of giving

younger male employees with less experience better jobs on popular magazines continued up through Ms. Snyder's unlawful termination.

15. In or around 2000, Defendant Faces' publications went from softcore content to hardcore content.

16. In 2005, Ms. Snyder was assigned the task of writing box copy for Swank's pornographic videos. Ms. Snyder was given this responsibility by Stephen Perretta¹, who supervised production of video content, when many of the male editors and assistants had failed to successfully produce appropriate, useful copy. Ms. Snyder excelled at this task and continued to write box copy until the day she was unlawfully terminated.

17. Throughout her entire employment, and despite her exemplary performance and work product, Ms. Snyder **never** received a merit-based raise. Then, in or around February 2009, at the age of 59, Ms. Snyder was informed by Defendant Perretta that she must take a substantial salary cut or be terminated from her position, because her publications, purportedly, were not earning enough revenue to warrant her salary. This was, in no way, the fault of Ms. Snyder, and, in fact, Defendants had purposely assigned low-circulation publications to Ms. Snyder knowing that these titles would soon be discontinued.

18. Two other employees were also forced to take salary cuts around the same time; both were female. Upon information and belief, **no** male employees were forced to take a salary reduction at this time.

19. On October 16, 2009, after dealing with years of discriminatory treatment, dwindling work, subpar magazine assignments, and a salary reduction, Ms. Snyder wrote a letter to Defendant Perretta, wherein she stated that she felt she was "being marginalized at work"

¹ Stephen Perretta is one of Defendant Louis Perretta's four (4) sons who manage and work within Defendant Faces Publishing.

because she was “not ‘one of the boys’,” and that her job was in a “diminished state due to [her] sex and age.”

20. Ms. Snyder also explained that male employees were being “assigned pick-ups, re-layouts and new books, all formats which [she] had edited in the past,” and that she found herself with “little to do,” which led her to the conclusion that she was “being treated differently on the basis of [her] gender and age.”

21. Defendant Perretta responded that the decisions regarding her salary and workload were purportedly rooted in economic difficulties, and that he “was not unhappy with [Ms. Snyder’s] work”

22. Immediately thereafter, Ms. Snyder received assignments on the very lowest circulation magazines, most with fetish themes and few readers. Defendants purposely assigned Ms. Snyder these titles, which were below her skill set and expertise level, so that (1) she would not have the opportunity to expand her role at the company, and (2) as a pretextual basis to terminate her when the titles were shortly thereafter inevitably discontinued. In fact, it had long been Defendants’ practice to discontinue their bottom-selling titles and acquire large-circulation titles from competitors.

23. Additionally, Ms. Snyder began noticing that editorial meetings were being held with only male employees and without her, despite her being employed as an editor within the company. When she asked why she was not invited to these meetings, she was told that they “forgot” to tell her. This practice continued periodically up until Ms. Snyder’s unlawful termination in 2011.

24. Indeed, on February 24, 2011, Ms. Snyder was summarily terminated by Defendant Perretta. Ms. Snyder was told that she was being terminated as part of a “lay off” and because the low-circulation titles assigned to her were going to be discontinued. This reason was

false and pretextual. Rather than decreasing their publications at the time of, and shortly following, her termination, Defendants, in fact, **expanded** their publication list dramatically, when they purchased seven (7) new magazines, three of which – Cheri, High Society and Playgirl – were very high-profile publications with large circulations. Additionally, the remaining four new publications were of a specific fetish theme – teen pornography – that Ms. Snyder had worked on extensively on prior publications, and, accordingly, had the skills and expertise to once again be assigned to. Additionally, upon information and belief, at least one of the four magazines Ms. Snyder created new material for is still in publication.

25. Defendants advised Ms. Snyder that two male art directors were also being terminated as part of this “lay off.” This, however, was likewise false. One of the so-called “terminated” art directors, Jim Atkinson, was “rehired” within only a few weeks. The other art director, Lissandro Pina, had maintained another job during his employment with Defendant, and worked for Defendant only to maintain health care benefits. The fact that he had another job was basis enough for his termination with cause outside of any alleged “lay off.”

26. Defendants consistently denied Ms. Snyder opportunities they provided to younger male editors with less experience, and kept Ms. Snyder on a low-rung job track for the purpose of targeting her for termination.

27. Ms. Snyder was unlawfully terminated from her position with Defendant Faces after eighteen (18) years: (1) due to her age; (2) due to her sex; and (3) in retaliation for her protected complaint of discrimination.

**COUNT I – TERMINATION IN VIOLATION OF NEW JERSEY LAW AGAINST
DISCRIMINATION – AGE DISCRIMINATION**

28. Plaintiff hereby incorporates and restates the allegations contained in the preceding Paragraphs as set forth at length herein.

29. Defendants terminated Ms. Snyder's employment because of her age in violation of the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 *et seq.*

30. As a result of Defendants' unlawful conduct, Ms. Snyder has been subjected to substantial job detriment and economic losses.

31. As a result of Defendants' unlawful conduct, Ms. Snyder has been subjected to mental anguish, embarrassment, stress, anxiety, and humiliation.

WHEREFORE, Plaintiff demands the following damages and relief:

- a. Judgment in favor of the plaintiff and against the defendants;
- b. Compensatory damages;
- c. Punitive damages;
- d. Attorneys fees;
- e. Costs of suit;
- f. Such additional relief as this Court deems just and equitable.

**COUNT II – TERMINATION IN VIOLATION OF NEW JERSEY LAW AGAINST
DISCRIMINATION – SEX DISCRIMINATION**

32. Plaintiff hereby incorporates and restates the allegations contained in the preceding Paragraphs as set forth at length herein.

33. Defendants terminated Ms. Snyder's employment because of her sex/gender in violation of the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 *et seq.*

34. As a result of Defendants' unlawful conduct, Ms. Snyder has been subjected to substantial job detriment and economic losses.

35. As a result of Defendants' unlawful conduct, Ms. Snyder has been subjected to mental anguish, embarrassment, stress, anxiety, and humiliation.

WHEREFORE, Plaintiff demands the following damages and relief:

- a. Judgment in favor of the plaintiff and against the defendants;
- b. Compensatory damages;
- c. Punitive damages;
- d. Attorneys fees;
- e. Costs of suit;
- f. Such additional relief as this Court deems just and equitable.

**COUNT III – TERMINATION IN VIOLATION OF NEW JERSEY LAW AGAINST
DISCRIMINATION – RETALIATION**

23. Plaintiff hereby incorporates and restates the allegations contained in the preceding Paragraphs as if set forth at length herein.

24. Defendants terminated Ms. Snyder's employment in retaliation for her protected conduct in violation of the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 *et seq.*

36. As a result of Defendants' unlawful conduct, Ms. Snyder has been subjected to substantial job detriment and economic losses.

37. As a result of Defendants' unlawful conduct, Ms. Snyder has been subjected to mental anguish, embarrassment, stress, anxiety, and humiliation.

WHEREFORE, Plaintiff demands the following damages and relief:

- a. Judgment in favor of the Plaintiff and against Defendants;
- b. Compensatory damages;

- c. Punitive damages;
- d. Pre-Judgment interest;
- e. Attorneys fees;
- f. Costs of suit;
- g. Such additional relief as this Court deems just and equitable.

Respectfully submitted,



David Zatuchni, Esq.
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287 South Main Street
(Route 29)
Lambertville, NJ 08530
Attorneys for Plaintiff Joyce A. Snyder

Dated: 8/24/11

CERTIFICATION PURSUANT TO R. 4:5-1

I hereby certify that this matter in controversy is not the subject of other actions pending in any court or arbitration proceedings, or any such contemplated other actions or arbitration proceedings.



David Zatuchni, Esq.
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Attorneys for Plaintiff Joyce A. Snyder

Dated: 8/24/11

DESIGNATION OF TRIAL COUNSEL

David Zatuchni, Esq. is hereby designated as trial counsel in this matter.



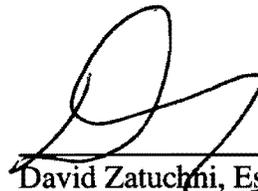
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287 South Main Street
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Lambertville, NJ 08530
Attorneys for Plaintiff Joyce A. Snyder

Dated:

8/24/11

JURY DEMAND

Plaintiff hereby demands a trial by jury on all issues and claims.



David Zatuchni, Esq.
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Attorneys for Plaintiff Joyce A. Snyder

Dated:

8/24/11