

SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,
FIRST DEPARTMENT

Altidor v. Medical Knowledge Group LLC

2026 NY Slip Op 00870 (Supreme Court of the State of New York Appellate Division First Department 2026) ·
No. Index No. 655007/23; Appeal No. 5772; Case No. 2025-01947 · Decided February 17, 2026

SUMMARY

The Appellate Division, First Department reversed an order dismissing Kenrick Altidor's claims of discriminatory termination and non-promotion under the New York State Human Rights Law and New York City Human Rights Law. The court held that allegations concerning disparate treatment compared with similarly situated white coworkers and an unadvertised promotion were sufficient to state claims at the pleading stage.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, First Department
WRITING FOR THE COURT	Manzanet-Daniels, J.P.; González, J.; Shulman, J.; Pitt-Burke, J.; Chan, J.
JURISDICTION	Supreme Court of the State of New York, Appellate Division, First Department
DECIDED	February 17, 2026
DOCKET	Index No. 655007/23; Appeal No. 5772; Case No. 2025-01947
DISPOSITION	reversed
PROCEDURAL POSTURE	Plaintiff appealed from an order granting defendant's motion to dismiss claims of discriminatory termination and discriminatory non-promotion under the New York State Human Rights Law and New York City Human Rights Law.
STANDARD OF REVIEW	De novo review of the sufficiency of the pleadings on a motion to dismiss.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Kenrick Altidor v. Medical Knowledge Group LLC

TOPICS

employment discrimination

racial discrimination

appellate procedure

civil rights

PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether plaintiff's allegations were sufficient at the pleading stage to state a claim for discriminatory termination under the New York State Human Rights Law and New York City Human Rights Law.
2. Whether plaintiff's allegations were sufficient at the pleading stage to state a claim for discriminatory non-promotion under the New York State Human Rights Law and New York City Human Rights Law.

HOLDINGS

1. Plaintiff's allegation that he, an African American employee, was terminated after making one mistake while similarly situated white coworkers who made similar mistakes were not disciplined or terminated was sufficient at the pleading stage to state claims for discriminatory termination under the State and City Human Rights Laws.
2. Plaintiff sufficiently pleaded discriminatory non-promotion by alleging that a coworker was promoted to a position plaintiff was already performing and that the position was not posted before being filled; a plaintiff need not allege that he applied for the promotion when the circumstances show that promotions were made unannounced and unsolicited or that the employer failed to advertise the position.

FACTUAL BACKGROUND

Kenrick Altidor, an African American employee of Medical Knowledge Group LLC, alleged that he was terminated after making one mistake while two white coworkers who made similar mistakes were neither reprimanded nor terminated. He alleged that one coworker held the same IT Help Desk Technician position, performed substantially similar work under similar conditions, and had made mistakes that Altidor previously helped correct. Altidor also alleged that the coworker was promoted to a position Altidor was already performing and that the promotion opportunity was not posted.

PROCEDURAL HISTORY

Supreme Court, New York County, granted defendant's motion to dismiss plaintiff's discriminatory termination and non-promotion claims to the extent appealed from. The Appellate Division unanimously reversed on the law, denied the motion as to those claims, and reinstated them.

DISPOSITION

reversed

REMAND INSTRUCTIONS

The discriminatory termination and discriminatory non-promotion claims under the State and City Human Rights Laws were reinstated; the motion to dismiss was denied as to those claims.

CASES CITED

- Serrano v. City of New York, 226 AD3d 575 (1st Dep't 2024)
- Vig v. New York Hairspray Co., LP, 67 AD3d 140 (1st Dep't 2009)
- Pelepelin v. City of New York, 189 AD3d 450, 452 (1st Dep't 2020)
- Uwoghiren v. City of New York, 148 AD3d 457, 458 (1st Dep't 2017)

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