

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK

Alicia Bloise v. Q4 Generational Wealth, Inc., et al.

Bloise · No. 1:22-cv-10488 (JHR) (SDA) · Decided December 2, 2025

SUMMARY

The court directed Plaintiff Alicia Bloise to file and serve mental-health records if she wished to place her mental health in controversy and seek emotional-distress damages exceeding the garden-variety category in connection with her motion for default judgment. The court also ordered Q4/Calientes and its principal to treat any such records as confidential and permitted the records to be filed under seal.

CASE DETAILS

COURT	United States District Court for the Southern District of New York
WRITING FOR THE COURT	Stewart D. Aaron
JURISDICTION	United States District Court for the Southern District of New York
DECIDED	December 2, 2025
DOCKET	1:22-cv-10488 (JHR) (SDA)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for default judgment and sought emotional-distress damages exceeding the garden-variety category. The court issued an order requiring supporting mental-health records if Plaintiff wished to place her mental health in controversy and pursue greater-than-garden-variety damages.
PRECEDENTIAL VALUE	Unknown
PARTIES	Alicia Bloise v. Q4 Generational Wealth, Inc., et al.

TOPICS

- default judgment
- damages
- civil procedure
- employment discrimination

PRACTICE AREAS

- civil procedure
- employment law
- remedies

QUESTIONS PRESENTED

1. Whether Plaintiff must provide and serve mental-health records if she places her mental health in controversy and seeks greater-than-garden-variety emotional-distress damages.
2. Whether mental-health records filed and served in connection with the motion must be treated as confidential by the defendants.

HOLDINGS

1. If Plaintiff wishes to place her mental health in controversy and recover greater-than-garden-variety emotional-distress damages, she must file specified mental-health records and serve them on the relevant defendants by the deadlines set in the order.
2. If Plaintiff files and serves the mental-health records required by the order, Q4/Calientes and Melanie Burgos must treat those records as confidential and may not disclose them to anyone.

KEY QUOTATIONS

“If Plaintiff wishes to place her mental health in controversy, and recover greater than “garden variety” emotional distress damages, Plaintiff shall, no later than December 16, 2025, file to the ECF docket records from Plaintiff’s doctor, social worker and therapist pertaining to her mental health during and after Plaintiff’s employment at Q4 General Wealth, Inc. d/b/a Calientes Restaurant & Bar (“Q4/Calientes”), serve such records upon Q4/Calientes and file proof of service to the ECF docket no later than December 18, 2025.” (Order ¶ 1)

“If the foregoing records are filed and served, Q4/Calientes and its principal, Melanie Burgos, shall treat such records as confidential and shall not disclose them to anyone in any manner.” (Order ¶ 2)

FACTUAL BACKGROUND

Plaintiff referenced a diagnosis of severe anxiety and depression and treatment by a social worker and/or therapist in support of her motion for default judgment. She did not submit records from her doctor, social worker, or therapist. The order concerned the evidentiary support and confidentiality of those records in connection with Plaintiff’s emotional-distress damages claim.

PROCEDURAL HISTORY

On September 3, 2025, Plaintiff filed a motion for default judgment with an affirmation and exhibits. The magistrate judge ordered Plaintiff to file and serve specified mental-health records by stated deadlines if she intended to seek greater-than-garden-variety emotional-distress damages, and ordered the defendants to maintain those records as confidential.

DISPOSITION

other

CASES CITED

- Caravantes v. 53rd Street Partners, LLC, No. 09-CV-07821 (RPP), 2012 WL 3631276, at *22 (S.D.N.Y. Aug. 23, 2012)
- United States v. Asare, 476 F. Supp. 3d 20, 37 (2020)

OPINION

Bloise

PER CURIAM.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

Alicia Bloise, Plaintiff, 1:22-cv-10488 (JHR) (SDA) -against-

ORDER

Q4 Generational Wealth, Inc., et al., Defendants. STEWART D. AARON, United States Magistrate Judge: WHEREAS, on September 3, 2025, Plaintiff filed a motion for default judgment, accompanying affirmation and exhibits (Mot., ECF No. 89; Calliste, Jr. Aff., ECF No. 90; Exs., ECF Nos. 90-1 to 90-16); and WHEREAS, in connection with the aforesaid motion, Plaintiff makes reference to a diagnosis by her doctor of “severe anxiety and depression,” as well as treatment by a social worker and/or therapist (see Calliste, Jr. Aff. ¶¶ 261-63; see also A. Bloise Decl., ECF No. 90-6, ¶¶ 105-06); and WHEREAS, Plaintiff has failed to submit in support of her motion any records from her doctor, social worker and/or therapist; and WHEREAS, if a plaintiff fails to submit medical evidence in support of an emotional distress claim, such claim will be treated as “garden variety,” thus limiting the range of damages that may be recovered on such a claim, see Caravantes v. 53rd Street Partners, LLC, No. 09-CV- 07821 (RPP), 2012 WL 3631276, at * 22 (S.D.N.Y. Aug. 23, 2012); and WHEREAS, evidence for “garden variety” emotional distress claims typically is limited to the plaintiff's testimony, without requiring expert opinions or mental health records, see United States v. Asare, 476 F. Supp. 3d 20, 37 (2020). NOW, THEREFORE, it is hereby ORDERED, as follows:

1. If Plaintiff wishes to place her mental health in controversy, and recover greater than “garden variety” emotional distress damages, Plaintiff shall, no later than December 16, 2025, file to the ECF docket! records from Plaintiff’s doctor, social worker and therapist pertaining to her mental health during and after Plaintiff's employment at Q4 General Wealth, Inc. d/b/a Calientes Restaurant & Bar (“Q4/Calientes”), serve such records upon Q4/Calientes? and file proof of service to the ECF docket no later than December 18, 2025.

2. If the foregoing records are filed and served, Q4/Calientes and its principal, Melanie Burgos, shall treat such records as confidential and shall not disclose them to anyone in any manner. SO ORDERED. Dated: New York, New York December 2, 2025 Lick of. 0.

STEWART D. AARON

United States Magistrate Judge 1 Given that the records pertain to Plaintiff's mental health, they may be filed to the ECF docket under seal. ? Plaintiff shall serve Q4/Calientes in the following

manner: via first class mail at 414 City Island Ave., Bronx, NY 10464, and via email to melanieburgos613@gmail.com and calientesnyc@gmail.com.

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