

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
NEW YORK

Walter Wolicki v. PaperWorks Industries, Inc.

Wolicki · No. 5:25-CV-0403 (GTS/MJK) · Decided January 26, 2026

SUMMARY

The United States District Court for the Northern District of New York denied PaperWorks Industries, Inc.’s motion to dismiss Walter Wolicki’s amended complaint under Federal Rule of Civil Procedure 12(b)(6). The court held that Wolicki plausibly alleged a disability under the Americans with Disabilities Act and clarified that the amended complaint asserted termination-based disability discrimination claims, not a failure-to-accommodate claim.

CASE DETAILS

COURT	United States District Court for the Northern District of New York
WRITING FOR THE COURT	Glenn T. Suddaby
JURISDICTION	United States District Court for the Northern District of New York
DECIDED	January 26, 2026
DOCKET	5:25-CV-0403 (GTS/MJK)
DISPOSITION	denied
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss Plaintiff's amended complaint alleging disability discrimination under the Americans with Disabilities Act and the New York State Human Rights Law.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true and determines whether they plausibly suggest an entitlement to relief. Legal conclusions and conclusory recitals of the elements are not entitled to an assumption of truth. The court may consider documents attached to or incorporated by reference in the complaint, documents integral to the complaint, and matters subject to judicial notice without converting the motion into one for summary judgment.
PRECEDENTIAL VALUE	unknown

TOPICS

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ada / disability

QUESTIONS PRESENTED

1. Whether the amended complaint plausibly alleged that Plaintiff had a disability within the meaning of the ADA.
2. Whether Defendant's arguments concerning failure to accommodate stated a basis for dismissal when Plaintiff had not asserted a failure-to-accommodate claim in the amended complaint.
3. Whether the court could consider a physician medical certification referenced in and integral to the amended complaint without converting the Rule 12(b)(6) motion into one for summary judgment.

HOLDINGS

1. The amended complaint plausibly alleged that Plaintiff had impairments substantially limiting major life activities and therefore adequately alleged a disability under the ADA.
2. Defendant's arguments concerning a failure-to-accommodate claim were moot because Plaintiff did not assert such a claim in the amended complaint.
3. The court could consider the physician medical certification without converting the motion to one for summary judgment because the amended complaint specifically referenced and relied on the document, making it incorporated by reference and integral to the claim.

KEY QUOTATIONS

“These allegations do more than supply conclusory statements that merely track the language of the statute.”
(at 10-11)

“As a result, Defendant’s argument that any claim for failure to accommodate should be dismissed is moot.”
(at 14)

“For all of the above reasons, the Court finds that Plaintiff has alleged facts to plausibly suggest that he has an impairment that substantially limits a major life activity, and therefore Defendant’s motion on that point is denied.” (at 14)

FACTUAL BACKGROUND

Plaintiff alleged that he was diagnosed with posttraumatic stress disorder in approximately 2015 and degenerative disc disease in approximately 2016 following prior military service. He alleged that PTSD substantially affected sleep, concentration, communication, and interaction with others, while degenerative disc disease caused daily back pain and limitations involving lifting, bending, standing, reaching, crouching, and physical mobility. Plaintiff claimed that Defendant terminated his employment because of an erroneous belief that his disabilities rendered him unable to perform the essential functions of his job, and he also asserted a related NYSHRL claim.

PROCEDURAL HISTORY

Plaintiff filed the action on April 1, 2025. Defendant moved to dismiss the original complaint, after which Plaintiff filed an amended complaint as of right on June 20, 2025. The court permitted Defendant to supplement its motion, considered the parties' briefing, and denied the motion to dismiss.

DISPOSITION

denied

CASES CITED

- Jackson v. Onondaga Cnty., 549 F. Supp. 2d 204, 211 nn. 15-16 (N.D.N.Y.)
- Rusyniak v. Gensini, 629 F. Supp. 2d 203, 213 & nn. 22, 32 (N.D.N.Y. 2009)
- Ashcroft v. Iqbal, 129 S. Ct. 1937, 1949-52 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555-70 (2007)
- Conley v. Gibson, 355 U.S. 41, 45-46 (1957)
- Gentleman v. State Univ. of New York Stony Brook, 2017 WL 2468963, at *3 (E.D.N.Y. June 6, 2017), aff'd, 2022 WL 1447381 (2d Cir. 2022)
- Earl v. Good Samaritan Hosp. of Suffern NY, 625 F. Supp. 3d 292, 304 (S.D.N.Y. 2022)
- Telemaque v. Marriott Int'l, Inc., 2016 WL 406384, at *9 (S.D.N.Y. Feb. 2, 2016)
- Papaliberios v. Mount Sinai Health Sys., Inc., 2025 WL 964114, at *3 (E.D.N.Y. Mar. 31, 2025)
- Dominguez v. Bd. of Educ. of Yonkers City Sch. Dist., 2025 WL 1285862, at *4 (S.D.N.Y. May 2, 2025)
- Kelly v. N.Y. State Office of Mental Health, 200 F. Supp. 3d 378, 393 (E.D.N.Y. 2016)
- L-7 Designs, Inc. v. Old Navy, LLC, 2011 WL 2135734, at *1 (2d Cir. June 1, 2011)
- DiFolco v. MSNBC Cable L.L.C., 622 F.3d 104, 111 (2d Cir. 2010)
- Chambers v. Time Warner, Inc., 282 F.3d 147, 152 (2d Cir. 2002)
- Int'l Audiotext Network, Inc. v. Am. Tel. & Tel. Co., 62 F.3d 69, 72 (2d Cir. 1995)
- Jorgensen v. County of Suffolk, 558 F. Supp. 3d 51, 58 n.4 (E.D.N.Y. 2021)
- Liu Yao-Yi v. Wilmington Trust Co., 301 F. Supp. 3d 403, 413 (W.D.N.Y. 2017)
- Moore v. Newton, 220 F. Supp. 3d 275, 280 n.5 (E.D.N.Y. 2016)
- Williams v. Time Warner Inc., 440 F. App'x 7, 9 (2d Cir. 2011)