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SUPERIOR COURT FOR THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

JANE DOE, individually and
on behalf of others similarly situated,

Plaintiff,

vs.

NIANTIC, INC., a Delaware
corporation; and DOES 1 through 10,
inclusive,

Defendants.

Case No.: 23STCV15935

CLASS ACTION

COMPLAINT FOR:

- 1. Violation of California Equal Pay Act (Labor Code § 1197.5(a));**
- 2. Retaliation in Violation of California Equal Pay Act (Labor Code § 1197.5(k));**
- 3. Discrimination in Violation of the Fair Employment & Housing Act (Cal. Govt. Code § 12940(a));**
- 4. Hostile Work Environment in Violation of the Fair Employment & Housing Act (Cal. Govt. Code § 12940(j)(1));**
- 5. Retaliation in Violation of the Fair Employment & Housing Act (Cal. Govt. Code § 12940(h));**
- 6. Failure to Prevent Discrimination,**

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Harassment, and Retaliation in Violation of the Fair Employment & Housing Act (Cal. Govt. Code § 12940(k)); and
7. Violation of Unfair Competition Law (Bus. & Prof. Code § 17200, et seq.).

DEMAND FOR JURY TRIAL

TO THIS HONORABLE COURT AND ALL INTERESTED PARTIES:

NOW COMES Plaintiff Jane Doe to submit her Complaint to allege causes of action, individually and on behalf of a class of similarly-situated current and former California employees, against Defendant Niantic, Inc. (“Niantic”), a Delaware corporation headquartered in California, and DOES 1 through 20, inclusive, (collectively “Defendants”) as follows:

NATURE OF ACTION

1. This is a case about systemic sexual bias at Niantic. Plaintiff Jane Doe was an employee of Niantic, Inc. from February 19, 2020 until July 1, 2023. Throughout Plaintiff’s employment with Niantic, Niantic systemically devalued the work of female employees and especially women of color, including Plaintiff. Throughout Plaintiff’s employment with Niantic, Niantic denied equal pay and stifled the careers of women and women of color, like Plaintiff. The blatant favoritism that Niantic has given to men comes from the top of the organization, including from Chief Executive Officer John Hanke and the male leadership at Niantic that surrounds him. That known sexism and toxicity coming from the top of Niantic permeates the company. Female employees see Niantic as a Boys Club where men mentor and boost the careers of other men while leaving women and women of color behind. Building on the toxic work culture, Niantic has also made clear to its female employees that it does not tolerate discussion or dissent about equity, equal pay issues, sexism, or the Boys Club at Niantic. Women who speak out at Niantic on these issues are labeled as a problem by upper management and pushed out of the company. Niantic’s human resources department operates on an apparent

1 directive from CEO Hanke and other men in leadership to silence female employees who speak
2 out.

3 2. Plaintiff seeks to ensure the sexual bias complaints of all female employees and
4 women of color at Niantic are taken seriously and acted upon. Accordingly, on behalf of herself
5 and on behalf of a proposed class of similarly-situated current and former California employees
6 of Niantic, Plaintiff brings this class action lawsuit to obtain monetary damages and to require
7 Niantic to reckon with and remedy the Boys Club that it has created and maintained for years.

8 3. Specifically, Plaintiff seeks to stop Niantic’s custom and practice of fostering
9 sexual bias in employment decisions including: (a) paying women less than similarly-situated
10 men; (b) paying women of color less than similarly-situated white persons; (b) promoting
11 similarly-situated men more frequently than women who are equally or more qualified for
12 promotions; (c) assigning women to lower paid positions than similarly-situated men, even when
13 these women’s qualifications were equal to or greater than the men’s qualifications; (d)
14 retaliating against female employees who express concerns about the workplace, including
15 concerns regarding discrimination and equal pay issues; and (e) creating, encouraging, and
16 maintaining a work environment that exposes its female employees to discrimination,
17 harassment, and retaliation.

18 **THE PARTIES**

19 4. Plaintiff Jane Doe is an adult resident of the County of Los Angeles State of
20 California, and performed work at Niantic from approximately February 19, 2020 until July 1,
21 2023.

22 5. Defendant Niantic is a corporation organized and existing under the laws of the
23 State of Delaware, with its principal place of business located at 1 Ferry Building, #200, San
24 Francisco, California 94111. Niantic was founded in 2015 and is a software development
25 company and game developer, best known for creating and selling augmented reality games such
26 as “Pokemon Go” and “Ingress.” Niantic operates offices in Los Angeles, San Francisco,
27 Sunnyvale, Bellevue, Lawrence, Tokyo, Bristol, Hamburg, and Zurich, and has approximately
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1 800 employees. At all relevant times, Niantic was and is doing business in the City of Los
2 Angeles, State of California.

3 6. The true names and capacities, whether corporate, associate, individual or
4 otherwise, of Defendants DOES 1 through 20, inclusive, are unknown to Plaintiff. Plaintiff
5 therefore sues said Defendants by such fictitious names pursuant to California Code of Civil
6 Procedure section 474. Each of the Defendants designated herein as a DOE is legally responsible
7 in some manner for the events and happenings referred to in the Complaint, and caused injuries
8 and damages proximately to Plaintiff, as herein alleged. Plaintiff will ask leave of Court to
9 amend this Complaint to show their names and capacities when the same have been ascertained.

10 7. Whenever and wherever reference is made in this complaint to any act or failure
11 to act by a Defendant or Defendants, such allegations and references shall also be deemed to
12 mean the acts and/or failures to act by each Defendant acting individually, jointly, and/or
13 severally.

14 8. Plaintiff is informed and believes, and based thereon alleges, that at all material
15 times, one or more of each named and/or unnamed Defendants was the agent, servant, employee,
16 or employer of one or more of the remaining named and/or unnamed Defendants and, as
17 hereinafter alleged, was acting within the scope of such authority, consent, agency, servancy, or
18 employment.

19 9. Plaintiff is informed and believes, and based thereon alleges, that at all material
20 times, one or more of each named and/or unnamed Defendants was in some fashion, by contract
21 or otherwise, the predecessors, affiliates, alter egos, assigns, joint-venturers, co-venturers or
22 partners of one or more of the remaining named and/or unnamed Defendants, and as hereinafter
23 alleged, was acting within that capacity.

24 10. Plaintiff is further informed and believes, and on that basis alleges, that one or
25 more of the remaining named and/or unnamed Defendants are the successors of one or more of
26 the remaining named and/or unnamed Defendants. Such successors are liable for the
27 occurrences, damages, and injuries alleged herein to the same extent its predecessors are liable
28 for the alleged occurrences, damages and injuries.

1 11. Plaintiff alleges that Defendants acted as the employers and/or joint employers of
2 Plaintiff, and that they shared control of Plaintiff as an employee, either directly or
3 indirectly. This control includes, but is not limited to, the authority to hire and fire, assign work
4 tasks, engage in day-to-day supervision of employees, and controlling employee records.

5 12. Plaintiff alleges that Defendants were the alter-egos of one or more of the
6 remaining named and/or unnamed Defendants, and as hereinafter alleged, was acting for their
7 own benefit and/or the benefit of one or more of the remaining named and/or unnamed
8 Defendants. Plaintiff alleges that Defendants were acting on behalf of each other in the
9 establishment of, ratification of, and/or execution of the illegal practices and policies as set forth
10 in this pleading. Plaintiff is further informed and believes, and thereon alleges that at all times
11 relevant hereto Defendants had decision-making responsibility for, and establishment and
12 execution of, illegal practices and policies for each other and are, therefore, liable on the causes
13 of action herein.

14 13. Plaintiff alleges that at all material times, one or more of each unnamed
15 Defendants was in some fashion, by statute, law or otherwise, the agent, agency, branch,
16 department or the like of one or more of the remaining named and/or unnamed Defendants for
17 the acts alleged herein and was acting within that capacity.

18 14. Plaintiff further alleges that there exists such a unity of interest and ownership
19 between Defendants that the individuality and separateness of those Defendants have ceased to
20 exist. The business affairs of Defendants are, and at all times relevant hereto were, so mixed and
21 intermingled that the same cannot reasonably be segregated, and the same are in inextricable
22 confusion. Defendants were used as mere shells and conduits for the conduct of certain of other
23 Defendants' affairs. The recognition of the separate existence of Defendants would not promote
24 justice, in that it would permit Defendants to insulate themselves from liability to
25 Plaintiff. Accordingly, Defendants constitute the alter egos of each other, and the fiction of their
26 separate existence must be disregarded at law and in equity, because such disregard is necessary
27 to avoid fraud and injustice to Plaintiff herein.

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GENERAL ALLEGATIONS

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2 15. Throughout the class period, Niantic has fostered and maintained a Boys Club
3 culture and environment where male employees are valued and recognized over female
4 employees, where the men in leadership embrace, mentor, and funnel other men into higher level
5 positions while stifling the careers of women, where women are systematically underpaid,
6 underpromoted and underrecognized for their work, and where women who voice any concerns
7 about the sexual bias in the Niantic work culture are silenced and pushed out of the company.

8 16. In or around February 2020, Plaintiff, an Asian female, began her employment
9 with Niantic as an Associate Designer L3 making approximately \$33.66 per hour, or \$70,000
10 annually. At all times relevant herein, Plaintiff was qualified to perform her job and performed
11 her job well.

12 17. In approximately December 2020, Niantic promoted Plaintiff to User Experience
13 Designer L4, earning approximately \$84,000 annually.

14 18. In approximately 2021, Plaintiff learned that Niantic had been paying her male
15 colleague, who had recently entered the company as an apprentice, more than it had been paying
16 her. This was despite that Plaintiff had more experience, more tenure as an employee, more
17 responsibilities, and had a higher job title than he.

18 19. Although that information was disheartening to Plaintiff, she resolved to work
19 harder to prove herself to her male supervisors and get the promotions and raises that she
20 deserved. But despite her hard work, Plaintiff learned that the same male colleague, who served
21 in a lower job title and position than she, continued to out-earn her. As of 2022, he was paid
22 \$127,000 annually. Meanwhile, Plaintiff's job title was one level above his, yet she was only
23 paid \$105,000 annually.

24 20. During her approximately three and a half years as a user experience designer at
25 Niantic, Plaintiff consistently received positive feedback from her peers about her quality of
26 work, work ethic, and her skills as a team player. Plaintiff's peers consistently recognized her as
27 an employee who went above and beyond her duties. But Niantic continued to pay Plaintiff less
28 than her male colleagues – including those with lower job titles and fewer responsibilities.

1 21. In or around the spring of 2023, Niantic gave Plaintiff a pay raise to \$115,500.
2 This was still significantly less than the \$127,000 that her male colleague was paid the year prior
3 in a lower position.

4 22. In or around the spring of 2023, Plaintiff learned that Niantic had posted the pay
5 band for her job title and level, User Experience L4, as \$126,000 - \$154,000. Plaintiff therefore
6 learned that after receiving a raise she was still paid approximately \$11,000 below the pay band
7 for the job position in which Plaintiff had been working and receiving positive reviews from her
8 peers for over two years. Plaintiff also confirmed that her male peer in the same job title and
9 level was paid more than she was paid and was within the pay band listed for their position.

10 23. When Plaintiff learned that she was paid below the pay band for her position
11 while her male colleague was not, it again confirmed for her that Niantic did not value her as a
12 female employee of color. Plaintiff began asking her colleagues about their pay rates and pay
13 bands, advising them that she was paid below her pay band while men did not appear to be paid
14 below their pay bands.

15 24. Partly due to Plaintiff's raised concerns, sexism and equal pay became a topic of
16 discussion among female employees at Niantic, including in meetings at Niantic's employee
17 resources group for women, called Wolfpack. The women at Niantic seemed to collectively
18 agree that men were favored and valued over women. Other female colleagues confirmed for
19 Plaintiff that their experiences of being underpaid, undervalued, and stifled, were similar to her
20 experiences.

21 25. Plaintiff resolved to meet with Niantic's Diversity Equity and Inclusion Director
22 and Principal People Partner to discuss her concerns. At the meeting, Niantic's Diversity Equity
23 and Inclusion office and People Operations office made clear that they and male upper
24 management at Niantic were hostile to her complaints or voiced concerns about sexism or sexual
25 bias in the workplace. They told Plaintiff that her voiced concerns about workplace issues among
26 her colleagues had impacted Niantic's evaluation of her job performance in the past and would
27 continue to do so in the future. They claimed that the reason Plaintiff was paid below the pay
28 band for her position was that she had previously raised concerns among her colleagues about

1 the way employees were being treated (concerted activity that is protected under the law). They
2 also discouraged Plaintiff from discussing pay equity issues or sexual bias issues with her
3 colleagues including colleagues involved in Wolfpack moving forward.

4 26. Jane Doe left the meeting held with Niantic's Diversity Equity and Inclusion
5 Director and with Principal People Officer in fear of losing her job. She was so concerned about
6 her job following the meeting should she engage in any more public discussions about equal pay
7 and sexual bias at work that she immediately unsubscribed from Wolfpack in fear that her
8 association with Wolfpack would disadvantage Wolfpack employees or her. Plaintiff's anxiety
9 over the Boys Club environment became even more elevated when she realized that the direction
10 from the top of the organization was to silence any women who voiced dissent to the equal pay
11 and/or sexual bias or discrimination there.

12 27. In or around spring 2023, Wolfpack administered a survey of employees about
13 workplace culture. The results of the survey showed that many female employees viewed Niantic
14 as a sexist work culture that disadvantages female employees. The majority of employees
15 responding to the survey also expressed concerns about equal pay at Niantic.

16 28. When Wolfpack disclosed the survey results to Niantic, Niantic's Chief
17 Marketing Officer, Mike Quigley, required Wolfpack to remove references to Boys Club and
18 similar comments about sexism in the workplace from their presentation to Wolfpack members
19 about the results of the survey. Niantic also advised Wolfpack that it would no longer be
20 permitted to administer surveys of its employees without approval from the Niantic's upper
21 management.

22 29. Niantic's treatment of its female employees, including Plaintiff, sent them the
23 message that they were not valued at Niantic and would be held back in the workplace because
24 they are women and/or women of color. Niantic's treatment of its female employees who voiced
25 concerns about discrimination in the workplace also sent them the message that Niantic did not
26 tolerate any opposition to or concern about the way women were treated there. This treatment
27 created a hostile, offensive, and oppressive work environment that disrupted the emotional
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tranquility and personal sense of well-being, including job security, of women and women of color in the workplace including of Plaintiff.

30. On or around June 29, 2023, Niantic notified Plaintiff that it was laying her off as an employee along with a large group of employees at Niantic’s Los Angeles office effective on July 1, 2023. Upon information and belief, the Los Angeles employees that survived the July 1, 2023 layoff were disproportionately men.

CLASS ACTION ALLEGATIONS

31. Plaintiff brings the causes of action on behalf of herself, where applicable, and on behalf of the following proposed (“Class”):

All current or former female employees who worked in California from July 7, 2019 through the date of Preliminary Approval. Female is defined as: (a) any person who identified as female during their employment with Niantic; (b) any person whom Niantic had identified as female during their employment at Niantic.

32. Alternatively, Plaintiff brings the causes of action, separately, on behalf of herself, where applicable, and on behalf of the following proposed subclasses (“Subclasses”):

- (a) Subclass 1: All current or former Niantic employees who worked in California from July 7, 2019 through the trial of this matter and who identified as female, or whom Niantic identified as female, during their employment with Niantic.
- (b) Subclass 2: All current or former Niantic employees who worked in California from July 7, 2019 through the trial of this matter and who identified as women of color, or whom Niantic identified as women of color, during their employment with Niantic.

33. This action is appropriately suited for a class action pursuant to California Code of Civil Procedure section 382 because there exists an ascertainable and sufficiently numerous Class and/or Subclasses, a well-defined community of interest, and substantial benefits from certification that render proceeding as a class superior to the alternatives.

34. Numerosity and Ascertainability: The size of the Class and/or Subclasses makes a class action both necessary and efficient. The proposed Class includes hundreds of current and former female Niantic employees located across California. Members of the Class and/or

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Subclasses are ascertainable through Niantic’s records, but are so numerous that joinder of all individual class members would be impractical.

35. Predominant Common Questions of Law and Fact: Common questions of law and fact affecting the rights of all Class and/or Subclasses predominate over any individualized issues. These common questions include, but are not limited to:

- (a) Whether Niantic has a systemic policy and/or practice of paying its female employees at rates lower than those paid to its male employees performing substantially similar work under similar conditions, in violation of California Labor Code section 1197.5, *et seq.*;
- (b) Whether Niantic has a systemic policy and/or practice of paying its female non-white employees at rates lower than those paid to its white employees performing substantially similar work under similar conditions, in violation of California Labor Code section 1197.5, *et seq.*;
- (c) Whether Niantic has a systemic policy and/or practice of committing adverse employment actions against its female employees who engage in protected activities when requesting promotions, increases in pay, or equal pay, in violation of California Labor Code section 1197.5, *et seq.*;
- (d) Whether Niantic has a systemic policy and/or practice of committing adverse employment actions against its female employees because of their gender or sex, in violation of California Government Code section 12940(a), *et seq.*;
- (e) Whether Niantic has a systemic policy and/or practice of maintaining a hostile work environment due to sex or gender for its female employees because of their gender or sex, in violation of California Government Code section 12940(j)(1), *et seq.*;
- (f) Whether Niantic has a systemic policy and/or practice of committing adverse employment actions against its female employees for engaging in protected activities when opposing sex or gender discrimination, harassment, or retaliation in violation of California Government Code section 12940(h), *et seq.*;

1 (g) Whether Niantic has a systemic policy and/or policy of failing to prevent discrimination,
2 harassment, and/or retaliation against its female employees because of their gender or
3 sex, in violation of California Government Code section 12940(k) *et seq.*; and

4 (h) Whether Niantic has a systemic policy and/or practice of unlawful, unfair, or fraudulent
5 business activities which allows it to unfairly compete in the marketplace.

6 36. Typicality: Plaintiff’s claims are typical of the Class and/or Subclasses’ Equal
7 Pay Act claims because Plaintiff is an Asian woman who was employed by Niantic in California
8 during the Class Period and was denied promotions and/or paid less than men and/or non-Asian
9 women for substantially equal or similar work and retaliated against for asserting her rights
10 under the Equal Pay Act. Plaintiff’s claims are typical of the Class and/or the Subclasses’ Fair
11 Employment & Housing Act claims of women who were denied promotions and/or paid less
12 than their male counterparts of substantially equal of similar work and/or discriminated,
13 retaliated, or subjected to a hostile work environment because of her gender or sex.

14 37. Adequacy of Representation: Plaintiff will fairly and adequately represent the
15 interest of the Class and/or Subclasses, and because her individual interests are consistent with,
16 and not antagonistic to, the interests of the Class and/or Subclasses, and because Plaintiff has
17 retained counsel who has the requisite resources and ability to prosecute this case as a class
18 action and are experienced labor and employment attorneys who have successfully litigated other
19 cases involving similar issues, including in class actions.

20 38. Superiority of Class Mechanism: Class certification is appropriate because
21 common questions of law and fact predominate over any questions affecting only individual
22 Class and/or Subclasses. Niantic’s liability in this case is based on uniform company policies
23 and procedures applicable to all employees. The compensation that Niantic owes to each
24 individual Class member is small in relation to the expense and burden of individual litigation to
25 recover that compensation. The prosecution of separate actions against Niantic by individual
26 Class and/or Subclasses could create a risk of inconsistent or varying adjudications, which could
27 establish incompatible standards of conduct for Niantic. A class action is superior to other
28 available methods for the fair and efficient adjudication of the controversy set forth herein.

JURISDICTION AND VENUE

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2 39. The California Superior Court has jurisdiction over this action pursuant to
3 California Constitution Article VI, Section 10, which grants the Superior Court “original
4 jurisdiction in all causes except those given by statute to other trial courts.” The statutes under
5 which this action is brought do not specify any other basis for jurisdiction.

6 40. The events causing damage to Plaintiff, as described in this Complaint, all
7 occurred within the City of Los Angeles, County of Los Angeles, State of California, which is
8 within the jurisdictional boundaries of the Superior Court of the County of Los Angeles.

9 41. This Court has jurisdiction over this matter because Defendant Niantic is a
10 corporation that maintains its headquarters in California, is licensed to do business in California,
11 regularly conducts business in California, and committed and continues to commit the unlawful
12 acts alleged herein California.

13 42. Venue is proper in this Court pursuant to California Code of Civil Procedure
14 section 395.5. Niantic has an office in Los Angeles, which is where many Class and/or
15 Subclasses have worked. Niantic’s obligation to treat and pay its female employees equally to its
16 male employees, and to refrain from retaliation against employees who raise concerns over
17 discrimination, and its liability for failing to meet its obligations, therefore arise in the County of
18 Los Angeles.

19 43. Pursuant to California Code of Civil Procedure section 382, Plaintiff brings these
20 claims individually and as a class action on behalf of a class of current and former employees of
21 Niantic and who were discriminated against, harassed, retaliated against, or forced out for
22 opposing discrimination, harassment, or retaliation or for asking for promotions or salary
23 increases or were not equally paid for substantially similar work based on sex or gender or race,
24 at any time four years prior to the filing of this Complaint.

25 44. This action is not subject to the Federal Class Action Fairness Act.

26 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

27 45. Plaintiff has complied with all conditions precedent (exhaustion of administrative
28 remedies) to jurisdiction. On or about July 7, 2023, Plaintiff filed a complaint of discrimination,

1 harassment, retaliation, and failure to take reasonable steps to prevent and remedy
2 discrimination, harassment, and retaliation, against Defendants under the provisions of the Fair
3 Employment and Housing Act (“FEHA”). The California Civil Rights Department (“CRD”)
4 issued a right-to-sue notice.

5 **FIRST CAUSE OF ACTION**

6 **Violation of the California Equal Pay Act**

7 **(By Plaintiff and the Class and/or Subclasses Against All Defendants)**

8 46. Plaintiff restates and incorporates by reference each and every allegation
9 contained in the foregoing paragraphs as though fully set forth herein, excepting those
10 allegations which are inconsistent with this cause of action.

11 47. Defendants have and continue to pay Plaintiff and/or the Class/or Subclasses at a
12 rate less than Defendants’ male employees and/or at a rate less than Defendants’ white
13 employees in violation of the California Equal Pay Act, California Labor Code section 1197.5, *et*
14 *seq.*

15 48. Plaintiff and Class and/or Subclasses were performing substantially similar work
16 as Defendants’ male employees and/or Defendants’ white employees with respect to their skill,
17 effort, and responsibility.

18 49. Plaintiff and the Class and/or Subclasses were performing substantially similar
19 work under similar working conditions as Defendants’ male employees and/or their white
20 employees.

21 50. Defendants caused, attempted to cause, contributed to, or caused the continuation
22 of the wage rate violations of the California Equal Pay Act.

23 51. Defendants willfully or recklessly disregarded the fact that their conduct was in
24 violation of the California Equal Pay Act.

25 52. Defendants’ unequal treatment of Plaintiff and Class and/or Subclasses and/or
26 their willful or reckless disregard for their violation of the California Equal Pay Act is and was
27 caused by conscious and/or unconscious sexual bias.

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1 compensation or equal pay, demotions, reassignment, losses of benefits, suspensions,
2 terminations, and/or other adverse employment actions.

3 59. Plaintiff and the Class and/or Subclasses' protected conduct were substantial
4 motivating factors for the adverse employment actions.

5 60. As a direct, proximate, and legal result of Defendants' aforesaid wrongful
6 conduct, Plaintiff and the Class and/or Subclasses have been harmed in that they have suffered
7 the loss of past and future wages and earnings, benefits, and such additional amounts of money
8 they would have received if Defendants had not committed the adverse employment actions. As
9 a result of such discrimination and retaliation and their consequences, Plaintiff and the Class
10 and/or Subclasses have suffered additional economic harm and damages, to be stated according
11 to proof at trial.

12 61. As a result of Defendants' conduct as alleged herein, Plaintiff and the Class
13 and/or Subclasses have been required to retain counsel to represent them. Plaintiff and the Class
14 and/or Subclasses will continue to incur attorneys' fees and costs in an amount within the
15 jurisdictional limit of this Court. Plaintiff and the Class and/or Subclasses are therefore entitled
16 to an award based on the reasonable attorneys' fees necessarily incurred in the preparation and
17 prosecution of this action, in an amount to be stated according to proof at trial.

18 62. The aforementioned acts were committed by Defendants, and each of them, by
19 and through their respective officers, directors, managing agents, agents and or/representatives
20 and/or were known to, aided, abetted, authorized by, ratified by and/or otherwise approved by
21 their respective officers, directors, managing agents and/or representatives. The above acts of
22 Defendants, and each of them, were despicable and committed knowingly, willfully,
23 fraudulently, and or/maliciously, with the intent to harm, injure, vex, annoy, and oppress Plaintiff
24 and the Class and/or Subclasses seek punitive and exemplary damages from the named
25 Defendants in an amount to be proven at trial.

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THIRD CAUSE OF ACTION

Sex/ Gender Discrimination in Violation of California Government Code § 12940, *et seq.*

(By Plaintiff and the Class and/or Subclasses Against All Defendants)

63. Plaintiff restates and incorporates by reference each and every allegation contained in the foregoing paragraphs as though fully set forth herein, excepting those allegations which are inconsistent with this cause of action.

64. At all relevant times, Government Code section 12940(a) was in full force and effect and was binding upon Defendants. Government Code section 12940(a) prohibits Defendants from discriminating against any employee on the basis of sex or gender.

65. At all relevant times, Plaintiff and the Class and/or Subclasses were female and therefore members of a protected group, pursuant to California Government Code sections 12926, 12945.

66. At all relevant times, Plaintiff and the Class and/or Subclasses performed their job duties with positive results.

67. Upon information and belief, Plaintiff and the Class and/or Subclasses were subjected to unlawful discrimination by Defendants, and each of them, because they are women and/or women of color. Plaintiff and the Class and/or Subclasses' sex and/or gender and/or race and/or color were motivating reasons for the harassment, discrimination, and/or retaliation alleged herein.

68. Plaintiff is informed and believes, and thereupon alleges that, at all relevant times, Defendants, and each of them, failed to implement and/or enforce their respective anti-discrimination policies to the extent such policies existed. Instead, Defendants discriminated against Plaintiff and the Class and/or Subclasses by preferring men in the workplace, particularly with respect their hiring, promotions, and compensation, and by responding to male employees' grievances and complaints swiftly and thoroughly, as compared to female employees' grievances and complaints, which were more likely to be disregarded, not investigated, or mishandled.

1 69. Plaintiff is informed and believes, that Defendants' hiring, evaluation,
2 compensation, and promotion practices resulted in Defendants paying men more than similarly
3 situated women and putting men into higher level positions than similarly situated women.

4 70. Plaintiff is informed and believes, and thereupon alleges that, at all relevant times,
5 Defendants, and each of them, engaged in a practice and/or policy of permitting predominantly
6 male managers to steer and/or funnel employees to elevated job positions or higher pay based on
7 subjective preferences and/or based on personal relationships. Plaintiff is informed and believes,
8 and thereupon alleges that, at all relevant times, Defendants, and each of them, engaged in a
9 practice and/or policy of permitting predominantly male managers to determine compensation of
10 employees without sufficient objective factors to remediate for conscious or unconscious bias.
11 Plaintiff is informed and believes, and thereupon alleges that, at all relevant times, Defendants,
12 and each of them, engaged in a practice and/or policy of permitting predominantly male
13 managers to evaluate job performance of employees without sufficient objective factors to
14 remediate for conscious or unconscious bias. Plaintiff is informed and believes, and thereupon
15 alleges that, Defendants had an insufficient objective measure of equal treatment of employees in
16 place to ensure that Defendants' predominantly male managers were not favoring men over
17 women or women of color in their employment decisions, mentorships, and/or performance
18 evaluations. Defendants' practices and policies did in fact lead to Defendants elevating and
19 paying men more, and giving men more opportunities, than similarly situated women.
20 Defendants' policies, practices, and/or procedures therefore have had an unlawful disparate
21 impact on women.

22 71. Plaintiff is informed and believes, and thereupon alleges that, at all relevant times,
23 Defendants, and each of them, engaged in a practice of retaliation against employees who
24 opposed discrimination, harassment, or retaliation. Plaintiff is informed and believes that
25 retaliation by Defendants was a de facto policy coming from the top of the organization,
26 including from CEO John Hanke, from Defendants' Diversity Equity and Inclusion officer, and
27 from its human resources office. This practice had an unlawful disparate impact on women,
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1 resulting in exacerbated and un-remedied discrimination, harassment, and/or retaliation against
2 them.

3 72. As a direct, proximate, and legal result of Defendants' aforesaid wrongful
4 conduct, Plaintiff and the Class and/or Subclasses have been harmed in that they have suffered
5 the loss of past and future wages and earnings, benefits, and such additional amounts of money
6 they would have received if Defendants had not discriminated against them. As a result of such
7 discrimination and its consequences, Plaintiff and/or the Class and/or Subclasses have suffered
8 additional economic harm and damages, to be stated according to proof at trial.

9 73. The acts of Defendants as alleged herein have been reckless and/or intentional, in
10 that Defendants, in conscious disregard of Plaintiff and the Class and/or Subclasses' rights, acted
11 so as to cause each of them to suffer a loss of employment benefits and suffer the injury,
12 humiliation, embarrassment, emotional distress and hardship alleged herein. As a direct and
13 proximate result, Plaintiff and the Class and/or Subclasses did suffer and still do suffer emotional
14 distress, anxiety, stress, and worry because of Defendants' conduct. Accordingly, Plaintiff and
15 the Class and/or Subclasses are entitled to recover general damages against said Defendants in a
16 sum in excess of the minimum jurisdictional limits of this Court, in an amount to be stated
17 according to proof at trial.

18 74. As a result of Defendants' conduct as alleged herein, Plaintiff and the Class
19 and/or Subclasses have been required to retain counsel to represent their interests. Plaintiff and
20 the Class and/or Subclasses will continue to incur attorneys' fees and costs in an amount within
21 the jurisdictional limits of this Court. Plaintiff and the Class and/or Subclasses are therefore
22 entitled to an award based on the reasonable attorneys' fees necessarily incurred in the
23 preparation and prosecution of this action, pursuant to Government Code section 12965(b),
24 which amount will be stated according to proof at trial.

25 75. The aforementioned acts were committed by Defendants, and each of them, by
26 and through their respective officers, directors, managing agents, and/or representatives and/or
27 were known to, aided, abetted, authorized by, ratified by and/or otherwise approved by their
28 respective officers, directors, managing agents and/or representatives. The above acts of

1 Defendants, and each of them, were despicable and committed knowingly, willfully,
2 fraudulently, and/or maliciously, with the intent to harm, injure, vex, annoy, and oppress Plaintiff
3 and the Class and/or Subclasses and with conscious disregard of their rights. By reason thereof,
4 Plaintiff and the Class and/or Subclasses seek punitive and exemplary damages from the named
5 Defendants in an amount to be proven at trial.

6 **FOURTH CAUSE OF ACTION**

7 **Hostile Work Environment in Violation of California Government Code § 12940, et seq.**
8 **(By Plaintiff and the Class and/or Subclasses Against All Defendants)**

9 76. Plaintiff restates and incorporates by reference each and every allegation
10 contained in the foregoing paragraphs as though fully set forth herein, excepting those
11 allegations which are inconsistent with this cause of action.

12 77. At all times relevant for purposes of this Complaint, California Government Code
13 section 12940, *et seq.* were in full force and effect and were binding on all Defendants.
14 California Government Code section 12940(j)(1) states that it is unlawful “[f]or an employer...or
15 any other person, because of...sex [and/or] gender, race...to harass an employee...”

16 78. Throughout their employment, Plaintiff and the Class and/or Subclasses were
17 subjected to hostile work environment on the basis of her sex/gender. Said conduct was severe,
18 pervasive, constant, and continuous, and was offensive, humiliating, and harassing to Plaintiff
19 and the Class and/or Subclasses and would have been offensive to a reasonable person in
20 Plaintiff and the Class and/or Subclasses’ circumstances.

21 79. Furthermore, by failing to conduct a reasonable investigation and not taking
22 proper remedial action following Plaintiff and the Class and/or Subclasses and the Class and/or
23 Subclasses’ complaints, Defendants ratified the unlawful conduct of their manager and
24 supervisors.

25 80. As a direct, proximate, and legal result of Defendants’ aforesaid wrongful
26 conduct, Plaintiff and the Class and/or Subclasses and the Class and/or Subclasses have been
27 harmed in that they have suffered the loss of past and future wages and earnings, benefits, and
28 such additional amounts of money they would have received if Defendants had not harassed

1 them. As a result of such harassment and its consequences, Plaintiff and the Class and/or
2 Subclasses have suffered additional economic harm and damages, to be stated according to proof
3 at trial.

4 81. The acts of Defendants as alleged herein have been reckless and/or intentional, in
5 that the Defendants, in conscious disregard of Plaintiff and the Class and/or Subclasses and the
6 Class and/or Subclasses' rights, acted so as to cause each of them to suffer a loss of employment
7 benefits and to suffer the injury, humiliation, embarrassment, emotional distress and hardship
8 alleged herein. As a direct and proximate result, Plaintiff and the Class and/or Subclasses and
9 the Class/or Subclasses did suffer and still do suffer emotional distress, anxiety, and worry
10 because of Defendants' conduct. Accordingly, Plaintiff and the Class and/or Subclasses and the
11 Class and/or Subclasses are entitled to recover general damages against said Defendants in sum
12 in excess of the minimum jurisdictional limits of this Court, in an amount to be stated according
13 to proof at trial.

14 82. As a result of Defendants' conduct as alleged herein, Plaintiff and the Class
15 and/or Subclasses have been required to retain counsel to represent their interests. Plaintiff and
16 the Class and/or Subclasses and the Class and/or Subclasses will continue to incur attorneys' fees
17 and costs in an amount within the jurisdictional limits of this Court. Plaintiff and the Class
18 and/or Subclasses and the Class and/or Subclasses are therefore entitled to an award based on the
19 reasonable attorneys' fees necessarily incurred in the preparation and prosecution of this action,
20 pursuant to Government Code section 12965(b), which will be stated according to proof at trial.

21 83. The aforementioned acts were committed by Defendants, and each of them, by
22 and through their respective officer, directors, managing agents, and/ or representatives and/or
23 were known to, aided, abetted, authorized by, ratified by and/or otherwise approved by their
24 respective officers, directors, managing agents, and/or representatives. The above acts of
25 Defendants, and each of them, were despicable and committed knowingly, willfully,
26 fraudulently, and/or maliciously, with the intent to harm, injure, vex, annoy, and oppress Plaintiff
27 and the Class and/or Subclasses and with a conscious disregard of their rights. By reasons
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thereof, Plaintiff and the Class and/or Subclasses seek punitive and exemplary damages from the named Defendants in an amount to be proven at trial.

FIFTH CAUSE OF ACTION

**Retaliation in Violation of California Government Code § 12940, et seq.
(By Plaintiff and the Class and/or Subclasses Against All Defendants)**

84. Plaintiff restates and incorporates by reference each and every allegation contained in the foregoing paragraphs as though fully set forth herein, excepting those allegations which are inconsistent with this cause of action.

85. At all times relevant for the purposes of this complaint, the FEHA, California Government Code section 12940, *et seq.* was in full force and effect and binding on Defendants.

86. It is an unlawful employment practice to discharge, expel, or otherwise discriminate against any person because the person has opposed any practices as protected under California Government Code section 12940(h). Plaintiff and the Class and/or Subclasses and the Class and/or Subclasses engaged in protected activities including but not limited to, voicing opposition among peers to discrimination, harassment, and/or retaliation, lodging complaints, requesting equal pay or increased compensation, and/or requesting promotions.

87. As a result of engaging in protected activity, Plaintiff and the Class and/or Subclasses suffered denied promotions, refusals to provide increased compensation or equal pay, demotions, reassignment with significantly different responsibilities, losses of benefits, suspensions, terminations, and other adverse employment actions.

88. The adverse employment actions were substantially motivated by Plaintiff's and the Class and/or Subclasses' protected activities.

89. As a direct, proximate, and legal result of Defendants' aforesaid wrongful conduct, Plaintiff and the Class and/or Subclasses have been harmed in that they have suffered the loss of past and future wages and earnings, benefits, and such additional amounts of money they would have received if Defendants had not retaliated against them. As a result of such retaliation and its economic consequences, Plaintiff and the Class and/or Subclasses and/or the

1 Class and/or Subclasses have suffered additional economic harm and damages, to be stated
2 according to proof at trial.

3 90. The acts of Defendants as alleged herein have been reckless and/or intentional in
4 that Defendants, in conscious disregard of Plaintiff's and the Class and/or Subclasses' rights,
5 acted so as to cause each of them to suffer a loss of employment benefits and to suffer the injury,
6 humiliation, embarrassment, emotional distress and hardship alleged herein. As a direct and
7 proximate result, Plaintiff and the Class and/or Subclasses and the Class and/or Subclasses did
8 suffer and still do suffer emotional distress, anxiety, stress, and worry because of Defendants'
9 conduct. Accordingly, Plaintiff and the Class and/or Subclasses and the Class and/or Subclasses
10 are entitled to recover general damages against said Defendants in a sum in excess of the
11 minimum jurisdictional limits of this Court, in an amount to be stated according to proof at trial.

12 91. As a result of Defendant's conduct as alleged herein, Plaintiff and the Class
13 and/or Subclasses and the Class and/or Subclasses have been required to retain counsel to
14 represent their interests. Plaintiff and the Class and/or Subclasses will continue to incur
15 attorney's fees and costs in an amount within the jurisdictional limits of this Court. Plaintiff and
16 the Class and/or Subclasses are therefore entitled to an award based on the reasonable attorney's
17 fees necessarily incurred in the preparation and prosecution of this action, pursuant to
18 Government Code section 12965(b), which amount will be stated according to proof at trial.

19 92. The aforementioned acts were committed by Defendants, and each of them, by
20 and through their respective officers, directors, managing agents, agents and/or representatives
21 and/or were known to, aided, abetted, authorized by, ratified by and/or otherwise approved by
22 their respective officers, directors, managing agents and/or representatives. The above acts of
23 Defendants, and each of them, were despicable and committed knowingly, willfully,
24 fraudulently, and/or maliciously, with the intent to harm, injure, vex, annoy and oppress Plaintiff
25 and the Class and/or Subclasses and with a conscious disregard of their rights. By reason
26 thereof, Plaintiff and the Class and/or Subclasses seek punitive and exemplary damages from the
27 named Defendants in an amount to be proven at trial.

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SIXTH CAUSE OF ACTION

**Failure to Prevent Discrimination and Harassment in Violation of California Government
Code § 12940, et seq.**

(By Plaintiff and the Class and/or Subclasses Against All Defendants)

93. Plaintiff restates and incorporates by reference each and every allegation contained in the foregoing paragraphs as though fully set forth herein, excepting those allegations which are inconsistent with this cause of action.

94. At all times relevant for purposes of this Complaint, Government Code section 12940(k), *et seq.* was in full force and effect and binding on Defendants. It requires Defendants to, among other things, “take all reasonable steps necessary to prevent discrimination from occurring.”

95. In perpetuating the above-described acts and failures to act, Defendants violated California Government Code section 12940(k) by failing to take all reasonable steps necessary to prevent such discrimination, harassment, and retaliation based on gender and/or sex and/or race and/or color from occurring.

96. Defendants repeatedly violated California Government Code section 12940(k). Defendants’ acts and failures to act include but are not limited to, the following:

- (a) Having inadequate policies, practices and procedures and/or failing to implement policies, practices and procedures and/or having ineffective policies, practices, and procedures regarding Defendants’ obligation to refrain from harassment or discrimination;
- (b) Having inadequate policies, practices, and procedures and/or failing to implement policies, practices and procedures and/or having ineffective policies, practices and procedures regarding the handling of complaints or harassment or discrimination;
- (c) Failing to investigate when harassment or discrimination was reported, despite there being such reports;

- 1 (d) Failing to provide any and/or adequate training, education, or information to their
2 personnel, and most particularly to management and supervisory personnel with regard
3 to policies and procedures regarding preventing harassment or discrimination; and
4 (e) Failing to appoint a qualified, neutral third party to investigate an employee's
5 allegations.

6 97. During the entire relevant period, Defendants failed to take all reasonable steps to
7 prevent discrimination or harassment and such discrimination or harassment was condoned,
8 encouraged, tolerated, sanctioned, and ratified.

9 98. As a direct, proximate, and legal result of Defendant's aforesaid wrongful
10 conduct, Plaintiff and the Class and/or Subclasses have been harmed in that they have suffered
11 the loss of past and future wages and earnings, benefits, and such additional amounts of money
12 they would have received if Defendants had not retaliated against them. As a result of such
13 retaliation and its consequences, Plaintiff and the Class and/or Subclasses and/or the Class and/or
14 Subclasses have suffered additional economic harm and damages, to be stated according to proof
15 at trial.

16 99. The acts of Defendants as alleged here in have been reckless and/or intentional, in
17 that Defendants, in conscious disregard to Plaintiff and the Class and/or Subclasses' rights, acted
18 so as to cause each of them to suffer a loss of employment benefits and to suffer the injury,
19 humiliation, emotional distress, and hardship alleged herein. As a direct and proximate result,
20 Plaintiff and the Class and/or Subclasses did suffer and still do suffer emotional distress, anxiety,
21 stress, and worry because of Defendants' conduct. Accordingly, Plaintiff and the Class and/or
22 Subclasses and the Class and/or Subclasses are entitled to recover general damages against said
23 Defendants in a sum in excess of the minimum jurisdictional limits of this Court, in an amount to
24 be stated according to proof at trial.

25 100. As a result of Defendants' conduct as alleged herein, Plaintiff and the Class
26 and/or Subclasses have been required to retain counsel to represent their interests. Plaintiff and
27 the Class and/or Subclasses will continue to incur attorney's fees and costs in an amount within
28 the jurisdictional limits of this Court. Plaintiff and the Class and/or Subclasses are therefore

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entitled to an award based on the reasonable attorneys’ fees necessarily incurred in the preparation and prosecution of this action, pursuant to Government Code section 12650(b), which amount will be stated according to proof at trial.

101. The aforementioned acts were committed by Defendants, and each of them, by and through their respective officers, directors, managing agents, and or/representatives and/or were known to, aided, abetted, authorized by, ratified by and/or otherwise approved by their respective officers, directors, managing agents and/or representatives. The above acts of Defendants, and each of them, were despicable and committed knowingly, willfully, fraudulently, and/or maliciously, with the intent to harm, injure, vex, annoy, and oppress Plaintiff and the Class and/or Subclasses and the Class and with a conscious disregard of their rights. By reason thereof, Plaintiff and the Class and/or Subclasses and the Class and/or Subclasses seek punitive and exemplary damages from the named Defendants in an amount to be proven at trial.

SEVENTH CAUSE OF ACTION

Violations of Unfair Competition Law

(By Plaintiff and the Class and/or Subclasses Against All Defendants)

102. Plaintiff restates and incorporates by reference each and every allegation contained in the foregoing paragraphs as though fully set forth herein, excepting those allegations which are inconsistent with this cause of action.

103. California Business & Professions Code section 17200 *et seq.* prohibits any unlawful, unfair, or fraudulent business act or practice.

104. Plaintiff brings this cause of action in any representative capacity on behalf of the general public and the Class and/or Subclasses. Plaintiff and the Class and/or Subclasses have suffered and continue to suffer injury in fact and deprivation of wages and monies as a result of Defendants’ actions

105. The actions of Defendants, as alleged herein, amount to conduct which is unlawful and in violation of law. As such, such conduct constitutes unfair business practices, in violation of Business & Professions Code section 17200, *et seq.*

1 106. Defendants' conduct as herein alleged has damaged Plaintiff and the Class and/or
2 Subclasses by denying them equal pay, promotions, increased compensation, and a working
3 environment free of discrimination, harassment, and retaliation. Defendants' actions are thus
4 substantially damaging to Plaintiff and the Class and/or Subclasses, causing them injury in fact
5 and loss of money.

6 107. As a result of such conduct, Defendants have unlawfully and unfairly obtained
7 monies owed to Plaintiff and the Class and/or Subclasses.

8 108. The proposed Class and/or Subclasses can be identified by reference to payroll
9 and related records in the possession of Defendants. The amount of wages due to Plaintiff and
10 the Class and/or Subclasses can be readily determined from Defendants' records and/or proper
11 scientific and/or expert evidence. Plaintiff and the proposed Class and/or Subclasses are entitled
12 to restitution of monies due and obtained by Defendants during the Class Period as a result of
13 Defendants' unlawful and unfair conduct.

14 109. During the Class Period, Defendants committed and continue to commit acts of
15 unfair competition as defined by Business & Professions Code section 17200, *et seq.*, by and
16 among other things, engaging in the acts and practices described above.

17 110. Defendants' course of conduct, acts, and practices in violation of the California
18 laws and regulations, as mentioned in each paragraph above, constitute distinct, separate, and
19 independent violations of Business & Professions Code section 17200, *et seq.*

20 111. The harm to Plaintiff and the class and/or Subclasses of being wrongfully denied
21 equal pay, promotions, increased compensation, and a working environment free of
22 discrimination, harassment, and retaliation, outweighs the utility, if any, of Defendants' policies
23 and practices, and therefore, Defendants' actions described herein constitute unfair business
24 practices or acts within the meaning of Business & Professions Code section 17200, *et seq.*

25 112. Defendants' conduct described herein threatens an incipient violation of
26 California's labor laws, and/or violates the policy or such spirit of such laws, or otherwise
27 significantly threatens or harms competition.

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1 113. Defendants’ course of conduct described herein further violates Business &
2 Professions Code section 17200, *et seq.* in that it is fraudulent, improper, and/or unfair.

3 114. The unlawful, unfair, and fraudulent business practices and acts of Defendants as
4 described hereinabove have injured Plaintiff and the Class and/or Subclasses in that they were
5 wrongfully denied equal pay, promotions, increased compensation, and a working environment
6 free of discrimination, harassment, and retaliation.

7 115. Defendants have been unjustly enriched as a direct result of their unlawful
8 business practices alleged in this complaint and will continue to benefit from those practices and
9 have an unfair competitive advantage if allowed to continue such practices. Under Business &
10 Professions Code section 17200, *et seq.* Plaintiff and the Class and/or Subclasses seek restitution
11 of all monies not paid to them by Defendants.

12 116. Plaintiff and the Class and/or Subclasses have no plain, speedy, or adequate
13 remedy at law as Defendants, unless enjoined by the Order of this Court, will continue to
14 systematically violate the provisions of the Labor Code and Government Code referenced herein.
15 Defendants’ conduct is continuing, ongoing, capable of repetition, and will continue unless
16 retrained and enjoined by the Court. Accordingly, injunctive relief is proper and necessary
17 pursuant to California Business & Professions Code section 17203.

18 117. Plaintiff and the Class and/or Subclasses’ efforts in securing the requested relief
19 will result “in the enforcement of an important right affecting the public interest” for “(a)
20 significant benefit, whether pecuniary or non-pecuniary, has been conferred on...a large class of
21 persons, (b) necessity and financial burden of private enforcement...are such to make the award
22 appropriate, and (c) such fees should not in the interest of justice be paid out the recovery, if
23 any.” Plaintiff and the Class and/or Subclasses request that the Court also award reasonable
24 attorneys’ fees pursuant to the provisions of California Code of Civil Procedure Code section
25 1021.5.

26 118. Plaintiff and the Class and/or Subclasses seek remedies and penalties pursuant to
27 California Business & Professions Code section 17205, which are cumulative to the remedies
28 and penalties available under other laws of this state.

DEMAND FOR JURY TRIAL

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2 119. Plaintiff, on behalf of herself and all others similarly situated, hereby demands a
3 trial by jury.

4 WHEREFORE, Plaintiff, on behalf of herself and all others similarly situated,
5 respectfully prays for relief, where applicable, against the Defendants as follows:

- 6 1. For economic damages for loss of past and future earnings, as well as loss of
7 earning capacity, just promotions, advancement, and employment benefits, in
8 excess of this Court’s minimum jurisdictional limits and according to proof;
- 9 2. For general damages for pain and suffering, mental and emotional trauma and
10 anguish, for the loss of enjoyment of life, according to proof;
- 11 3. For economic damages including resultant past and future medical care, job
12 search costs, other economic damages, including incidental fees and/or other
13 costs, and/or economic losses according to proof;
- 14 4. For compensatory damages, as against each named Defendant, according to proof;
- 15 5. For all wages (including base salary, bonuses, and stock) due to pursuant to
16 California Labor Code § 1197.5(h) in an amount to be ascertained at trial;
- 17 6. For statutory and civil penalties arising from the violations of California Labor
18 Code alleged herein;
- 19 7. For liquidated damages pursuant to California Labor Code § 1197.5(h);
- 20 8. For punitive damages, as against each named Defendant, for the causes of actions
21 alleged herein, according to proof;
- 22 9. For attorneys’ fees, as provided by statute, according to proof;
- 23 10. For an order certifying this action as a class action;
- 24 11. For an order appointing Plaintiff Jane Doe as Class Representative and appointing
25 Plaintiff’s counsel as Class Counsel;
- 26 12. For prejudgment interest on unpaid wages at a rate of 10% per annum pursuant to
27 California Labor Code § 1197.5(h) and California Civil Code §§ 3287-3288,
28 and/or any other applicable provision for prejudgment interest;

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- 13. For restitution of all monies due to Plaintiff and the Class/or Subclasses members, as well as disgorgement of Defendants’ profits from its unlawful and/or unfair business practices;
- 14. For preliminary and permanent injunctive relief enjoining Defendants from violating California Labor Code § 1197.5, *et seq.*, by paying their female employees lower wages than they pay their male counterparts for substantially similar work; and from engaging in the unfair and unlawful business practices complained of herein in violation of California Business and Professions Code § 17200, *et seq.*, by paying their female employees lower wages than they pays their male counterparts for substantially similar work; and from engaging in the unfair and unlawful business practices complained of herein in violation of California Business & Professions Code § 17200, *et seq.*;
- 15. For such further relief that the Court may deem just and proper.

DATED: July 7, 2023 GENIE HARRISON LAW FIRM, APC

By: /s/ Genie Harrison
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MIA MUNRO
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DATED: July 7, 2023 JML LAW, A Professional Law Corporation

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