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8

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

10 **FOR THE COUNTY OF LOS ANGELES**

11 ASTA JONASSON, an individual,

12 Plaintiff,

13 v.

14 VIN DIESEL (f/k/a Mark Sinclair Vincent), an
15 individual; SAMANTHA VINCENT, an
16 individual; ONE RACE PRODUCTIONS,
17 INC., a California corporation; ONE RACE
FILMS, INC., a California corporation; and
DOES 1 to 20, inclusive,

18 Defendants.
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Case No.: 23STCV31143

COMPLAINT FOR DAMAGES

- (1) **Discrimination in Violation of the FEHA;**
- (2) **Hostile Work Environment in Violation of the FEHA;**
- (3) **Retaliation in Violation of the FEHA;**
- (4) **Failure to Prevent Discrimination, Harassment, and Retaliation in Violation of the FEHA;**
- (5) **Retaliation in Violation of Labor Code § 1102.5;**
- (6) **Retaliation in Violation of Labor Code § 98.6;**
- (7) **Wrongful Termination in Violation of Public Policy;**
- (8) **Sexual Battery;**
- (9) **Negligent Supervision and Retention; and**
- (10) **Intentional Infliction of Emotional Distress.**

DEMAND FOR JURY TRIAL

[Filed pursuant to Code of Civil Procedure § 340.16, as Amended by Assembly Bill 2777]

1 Plaintiff Asta Jonasson (“Plaintiff” or “Ms. Jonasson”) brings this action against Defendants
2 Vin Diesel f/k/a Mark Sinclair Vincent (“Vin Diesel”), Samantha Vincent (“Vincent”), One Race
3 Productions, Inc., One Race Films, Inc. (with One Race Productions, Inc., “One Race”) and Does 1
4 through 20 (collectively, “Defendants”), and alleges as follows:

5 **NATURE OF THE ACTION**

6 1. Ms. Jonasson is a dedicated TV and film professional who has worked in the film
7 industry for over a decade. In September 2010, Ms. Jonasson was hired by One Race as an assistant
8 working directly for Vin Diesel. Her first assignment was to immediately travel to the location for
9 filming for “Fast Five,” the fifth movie in the Fast & Furious film franchise. Ms. Jonasson quickly
10 got to work, organizing parties and catering to Vin Diesel’s demands, including staying in close
11 physical proximity to Vin Diesel when he was at parties without his long-time girlfriend with whom
12 he had children because, as he explained, it would provide him with cover if he was photographed
13 with another woman.

14 2. One night, Ms. Jonasson was dutifully fulfilling her work duties, including ensuring
15 no photographs were taken of Vin Diesel, who was entertaining multiple women in the Empire Suite
16 of his luxury hotel. Although Vin Diesel had personal security, only Ms. Jonasson remained in the
17 hotel suite so the women felt more comfortable. After the last woman left in the early hours of the
18 morning, Ms. Jonasson was tasked with ushering Vin Diesel out of the hotel before dawn to avoid
19 him being photographed and the paparazzi being alerted of his whereabouts. Alone in the hotel suite
20 with him, Vin Diesel sexually assaulted Ms. Jonasson.

21 3. Vin Diesel forcibly grabbed Ms. Jonasson, groped her breasts, and kissed her.
22 Ms. Jonasson struggled continually to break free of his grasp, while repeatedly saying no. Vin Diesel
23 is physically larger and much stronger than Ms. Jonasson, and abused his position of authority as her
24 employer, and was able to easily overpower Ms. Jonasson. Vin Diesel ignored Ms. Jonasson’s clear
25 statements of non-consent to his sexual assaults. Vin Diesel then escalated his assault, groped her
26 body, dropped to his knees and pushed Ms. Jonasson’s dress up, groped her legs, and attempted to
27 pull down Ms. Jonasson’s underwear. Terrified for her personal safety, Ms. Jonasson screamed and
28 ran towards the nearby bathroom.

1 4. Vin Diesel followed Ms. Jonasson, pinned her against the wall with his body, and
2 grabbed Ms. Jonasson’s hand and placed it on his erect penis. Disgusted by being forced to touch
3 his penis, Ms. Jonasson instantaneously withdrew her hand and again verbally refused him. Vin
4 Diesel again ignored Ms. Jonasson’s pleas, and instead pulled his penis out of his underwear and
5 began to masturbate, while leaning against Ms. Jonasson and keeping her pinned to the wall with the
6 left side of his body. Ms. Jonasson was unable to escape and closed her eyes, scared of angering Vin
7 Diesel by rejecting him further and trying to dissociate, wishing the assault would end. Ms. Jonasson
8 then heard groaning noises from Vin Diesel, and he quickly released Ms. Jonasson and went to the
9 bathroom and turned on the sink. Jonasson was frozen in a state of shock and unable to move.

10 5. Vin Diesel then walked past Ms. Jonasson and said, “No one can say shit about Asta”
11 as he left the room. Ms. Jonasson remained in the hotel suite, shocked and seeking to avoid further
12 interactions with Vin Diesel. As she stood alone in the suite, Ms. Jonasson suddenly felt a mix of
13 relief that the sexual assault was over and panic, and her heart felt like it was about to explode out of
14 her chest. Unexpectedly, Vin Diesel returned and Ms. Jonasson felt instantaneous terror. Vin Diesel
15 asked for his phone, and Ms. Jonasson managed to respond that the phone was in his pocket. Vin
16 Diesel responded “Good job,” and finally exited the hotel suite.

17 6. Mere hours later, as Ms. Jonasson was still processing the immediate aftermath of Vin
18 Diesel’s sexual assault, Samantha Vincent, President of One Race and Vin Diesel’s sister, called
19 Ms. Jonasson. Rather than take any actions to protect Ms. Jonasson from further sexual assaults or
20 punish Vin Diesel for his egregious actions, Vincent stated that One Race no longer needed “any
21 extra help” and terminated Ms. Jonasson’s employment. The message was clear. Ms. Jonasson was
22 fired for courageously resisting Vin Diesel’s sexual assault, Vin Diesel would be protected, and his
23 sexual assault covered up.

24 7. For years, Ms. Jonasson remained silent, afraid to speak out against one of the world’s
25 highest-grossing actors, afraid she would be ostracized from the industry which had a pattern of
26 protecting powerful men and silencing survivors of sexual harassment and assault, and concerned
27 that as a green card holder that speaking out could jeopardize her potential future citizenship. Indeed,
28 One Race required all employees to sign non-disclosure agreements to prevent them from discussing

1 anything related to Vin Diesel. Empowered by the #MeToo and Time’s Up movements, and with
2 the protection of the Speak Out Act and recent revival of her claims by AB2777, Ms. Jonasson is
3 unwilling to remain silent any longer and seeks to reclaim her agency and justice for the suffering
4 she endured at the hands of Vin Diesel and One Race.

5 **PARTIES**

6 8. *Plaintiff:* Plaintiff is an adult female and, at all times mentioned in this Complaint,
7 was a resident of the state of California. Plaintiff was employed at One Race until her employment
8 was wrongfully terminated in 2010. Plaintiff was over the age of 18 at the time Vin Diesel sexually
9 assaulted her.

10 9. *Individual Defendants:*

11 a. Defendant Vin Diesel is an individual and, on information and belief, a
12 resident of Los Angeles County, and at all times mentioned in this Complaint, was a supervisor with
13 and/or officer or director of One Race. On information and belief, in 1997, Vin Diesel legally
14 changed his name from Mark Sinclair Vincent to Vin Diesel. Vin Diesel is an actor best known for
15 his roles as Dominic Toretto in “The Fast and The Furious” and the voice of Groot in the “Guardians
16 of the Galaxy” film franchises, and has starred in “Find Me Guilty” and other films.

17 b. Defendant Samantha Vincent is an individual and, on information and belief,
18 a resident of Los Angeles County, and at all times mentioned in this Complaint, was a supervisor
19 with and/or officer or director of One Race.

20 10. *Doe Defendants:* Plaintiff is ignorant of the true names and capacities of the
21 defendants sued herein as Does 1 through 20, inclusive, and therefore sues these defendants by
22 fictitious names pursuant to section 474 of the Code of Civil Procedure. Plaintiff will amend her
23 complaint to allege the true names and capacities of the fictitiously named defendants as soon as they
24 are ascertained. Plaintiff believes that each of these fictitiously named defendants is responsible in
25 some manner for the acts or omissions alleged herein and that Plaintiff’s injuries and damages were
26 proximately caused by the acts or omissions of these defendants.

27 11. *Entity Defendants:*

28 a. On information and belief, One Race Productions, Inc. was, and at all times

1 mentioned in this Complaint, authorized to operate by the State of California and the United States
2 government and authorized and qualified to do business in the County of Los Angeles. On
3 information and belief, One Race Productions, Inc. is film production company formed by Vin Diesel
4 and was incorporated in California in 1997.

5 b. On information and belief, One Race Films, Inc. was, and at all times
6 mentioned in this Complaint, authorized to operate by the State of California and the United States
7 government and authorized and qualified to do business in the County of Los Angeles. On further
8 information and belief, One Race Films, Inc. is a film and multimedia company formed by Vin
9 Diesel, was incorporated in 2001 in California, and has its California office at 8033 Sunset Blvd.
10 #1750, Hollywood, California 90046.

11 c. One Race Productions, Inc., One Race Films, Inc., and Does 1-20 will be
12 hereafter referred to as “Entity Defendants.”

13 12. *Relationship of Defendants:* On information and belief, all Defendants compelled,
14 coerced, aided, and/or abetted the discrimination, retaliation, and harassment alleged in this
15 Complaint, which conduct is prohibited under section 12940, subdivision (i) of the Government
16 Code. All Defendants were responsible for the events and damages alleged herein, including on the
17 following bases: (a) Defendants committed the acts alleged; (b) at all relevant times, one or more of
18 the Defendants was the agent or employee, and/or acted under the control or supervision, of one or
19 more of the remaining Defendants and, in committing the acts alleged, acted within the course and
20 scope of such agency and employment and/or is or are otherwise liable for Plaintiff’s damages; (c)
21 at all relevant times, there existed a unity of ownership and interest between or among two or more
22 of the Defendants such that any individuality and separateness between or among those Defendants
23 has ceased; (d) Defendants were the successors-in-interest and/or alter egos of the other Defendants
24 in that they purchased, controlled, dominated and operated each other without any separate identity,
25 observation of formalities, or any other separateness. Adherence to the fiction of the separate
26 existence of Defendants would permit abuse of the corporate privilege and would perpetuate a fraud
27 and injustice. All actions of all Defendants were taken by employees, supervisors, executives,
28 officers, and directors during employment with all Defendants, were taken on behalf of all

1 Defendants, and were engaged in, authorized, ratified, and approved of by all other Defendants.
2 Consequently, each Defendant is jointly and severally liable to Plaintiff for the damages sustained as
3 a proximate result of his, her, or its conduct. Each of the Defendants proximately caused the injuries
4 and damages alleged.

5 13. Entity Defendants directly and indirectly employed Plaintiff, as defined in the Fair
6 Employment and Housing Act (“FEHA”) at section 12926, subdivision (d) of the Government Code.

7 14. In addition, Entity Defendants compelled, coerced, aided, and abetted the
8 discrimination, which is prohibited under section 12940, subdivision (i) of the Government Code.

9 15. Finally, at all relevant times mentioned herein, all Defendants acted as agents of all
10 other Defendants in committing the acts alleged herein.

11 16. Whenever reference is made to “Defendants” in this Complaint, such allegation shall
12 be deemed to mean the acts of Defendants acting individually, jointly, and/or severally.

13 **VENUE**

14 17. Under the California Fair Employment and Housing Act, this case can, at Plaintiff’s
15 choice, be filed:

16 in any county in the state in which the unlawful practice is alleged to have
17 been committed, in the county in which the records relevant to the practice
18 are maintained and administered, or in the county in which the aggrieved
19 person would have worked or would have had access to the public
accommodation but for the alleged unlawful practice, but if the defendant is
not found within any of these counties, an action may be brought within the
county of the defendant’s residence or principal office.

20 (Gov. Code, § 12965, subd. (c)(3).)

21 18. Here, One Race is incorporated in California, and Defendants Vin Diesel and
22 Samantha Vincent reside in Los Angeles County. Were Plaintiff to have not been terminated by
23 Entity Defendants, Plaintiff would have continued her work based in Los Angeles County.

24 19. The FEHA venue statute affords a wide choice of venue to persons who bring actions
25 under the FEHA. (*Brown v. Superior Court* (1984) 37 Cal.3d 477, 486-87.) “[T]he special provisions
26 of the FEHA venue statute control in cases involving FEHA claims joined with non-FEHA claims
27 arising from the same facts.” (*Id.* at 487.)

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1 **GENERAL FACTUAL ALLEGATIONS**

2 20. Ms. Jonasson is a dedicated professional that has worked in the film industry for over
3 a decade. After attending a year-long program at a film school, Ms. Jonasson gained experience
4 working in the industry, including for two film production companies and two ultra-high-net worth
5 actors. Due to this experience, in 2010, Ms. Jonasson was referred to interview for a position at One
6 Race.

7 21. In approximately August or September 2010, One Race interviewed Ms. Jonasson at
8 its office in Beverly Hills. Thyrale Thai, Director of Marketing & Merchandising, interviewed
9 Ms. Jonasson and recorded the interview using a professional camera and tripod. Thai assured
10 Ms. Jonasson the recording was for the benefit of Samantha Vincent, President of One Race and Vin
11 Diesel's sister. Ms. Jonasson later learned that Vin Diesel would say that if something is not on video
12 then it did not happen.

13 22. During her interview, hiring, and throughout her employment, Ms. Jonasson was led
14 to believe that she would be assisting film production for the fifth installment of the Fast & Furious
15 film franchise: "Fast Five." At the time One Race hired Ms. Jonasson, on or about September 2,
16 2010, "Fast Five" was in production in Atlanta, Georgia. Vincent contacted Ms. Jonasson, instructed
17 her to sign a non-disclosure agreement, and asked her how soon she could fly out to Atlanta. Eager
18 to assist in the film production, Ms. Jonasson communicated her immediate availability. One Race
19 purchased a flight ticket for Ms. Jonasson to arrive in Atlanta on or about the very next day.

20 23. When Ms. Jonasson arrived in Atlanta, she was greeted by another female employee
21 who was also on location for Fast Five and, in contradiction to the representations made during her
22 hiring process, Ms. Jonasson was informed that she would largely be assisting with projects personal
23 to Vin Diesel and his family rather than the film production. Ms. Jonasson addressed this
24 contradiction with another person who, on information and belief, was a supervisor at One Race, and
25 was assured that she would be included in the film production.

26 24. On or about September 3, 2010, Ms. Jonasson was requested to join Vin Diesel's
27 family at their Buckhead rental property. There, Ms. Jonasson was tasked with planning a Labor
28 Day barbeque for some of the "Fast Five" cast and above-the-line film crew members. Vin Diesel's

1 partner, Paloma Jiménez, told Ms. Jonasson that the food servers at the barbeque must all be
2 “beautiful women.” Understanding her assignment, Ms. Jonasson also contracted an attractive
3 female celebrity chef for the barbeque. The barbeque, which took place on September 6, 2010, was
4 attended by high-profile guests. Ms. Jonasson received uniformly positive feedback on her
5 performance in setting up the event.

6 25. During the filming, Vin Diesel also had multiple rooms at the St. Regis Hotel in
7 Atlanta, Georgia, including the hotel’s most upscale room: the Empire Suite. On or about
8 September 8, 2020, Ms. Jonasson, Vin Diesel, another supervisor, and a female acquaintance of
9 Ms. Jonasson were making conversation in the Empire Suite. Vin Diesel and Ms. Jonasson’s
10 acquaintance began speaking privately in the master bathroom. The other supervisor then instructed
11 Ms. Jonasson to follow him out of the Empire Suite. At the time, Ms. Jonasson believed the
12 supervisor intended to provide privacy for Vin Diesel and Ms. Jonasson’s female acquaintance.
13 However, the supervisor continued entreating Ms. Jonasson to follow him until they reached his hotel
14 room. When Ms. Jonasson entered the room, the lights were off and the supervisor did not move to
15 turn the lights on. Instead, the supervisor took off his shirt and got into his bed, and said, “Come
16 here,” to Ms. Jonasson. Appalled, Ms. Jonasson immediately exited the room and the hotel.

17 26. On or about September 10, 2010, a supervisor instructed Ms. Jonasson to go to the
18 Havana Club in Atlanta as part of her work duties. When Ms. Jonasson arrived at the nightclub, Vin
19 Diesel was surrounded by club hostesses and approximately two of his private security personnel.
20 Vin Diesel drank throughout the night and continued to socialize with the multiple female hostesses,
21 each dressed in lingerie-inspired outfits. Jonasson did not drink alcohol as she was on the clock. In
22 the early hours of the morning, Vin Diesel and his security left the club to return to the St. Regis
23 Hotel. Approximately four or five hostesses from the nightclub returned with Vin Diesel to the hotel.
24 However, Ms. Jonasson’s work for the night was not complete. Ms. Jonasson was told to return to
25 the hotel to continue working.

26 27. Ms. Jonasson arrived at the St. Regis at the same time as one of Vin Diesel’s security
27 guards. As both were heading toward the hotel elevator, another of Vin Diesel’s security guards
28 instructed that only Ms. Jonasson was to continue up to the suite. When Ms. Jonasson entered the

1 Empire Suite, she observed Vin Diesel, one security guard, and approximately five hostesses from
2 the nightclub. Quickly thereafter, the lone security guard exited the room. On information and belief,
3 the security guard was instructed to leave so the hostesses would feel more comfortable around Vin
4 Diesel. At one point, Vin Diesel told Ms. Jonasson that she should have stayed close to him at the
5 club so that if he had been secretly photographed with the hostesses, Vin Diesel would have the cover
6 that his assistant was also in the photo. Then, Vin Diesel and one of the nightclub hostesses retreated
7 to the main bedroom for an extended period of time. The other hostesses remained in the living room
8 of the suite with Ms. Jonasson for some time. Eventually all but one hostess left the living room,
9 apparently tired of waiting for Vin Diesel to reappear.

10 28. After a significant period of time, Ms. Jonasson received a phone call from Vin
11 Diesel's security stating that Vin Diesel was not answering his cell phone, and that he needed to
12 immediately leave the hotel. Then, the hostess exited the bedroom leaving the door open, joined her
13 waiting coworker, and both exited the hotel suite. Still tasked with ushering Vin Diesel out of the
14 hotel, Ms. Jonasson entered the main bedroom to find Vin Diesel lying clothed, sideways on the bed,
15 with his cell phone on the dresser. Ms. Jonasson stood at the side of the bed near Vin Diesel's feet
16 and informed Vin Diesel that his security team had called, urged him to answer his phone, and that
17 it was time to leave the hotel. As she did so, Ms. Jonasson picked up Vin Diesel's phone from the
18 dresser and motioned for him to take it. Instead of taking his phone, Vin Diesel grabbed
19 Ms. Jonasson's wrists, one with each of his hands, and pulled her onto the bed. Ms. Jonasson landed
20 on the bed, facing Vin Diesel. Vin Diesel entrapped Ms. Jonasson in a bear hug as she immediately
21 tried to escape his grasp and get off the bed. Ms. Jonasson tried to de-escalate the situation, telling
22 Vin Diesel to stop while continuing to attempt to wrest free of Vin Diesel's grasp. Eventually,
23 Ms. Jonasson was able to squirm away from Vin Diesel's embrace, and took the opportunity to drop
24 Vin Diesel's cell phone into a pocket of his cargo shorts, expecting that Vin Diesel would refuse to
25 take his cell phone if she offered it to him again. Ms. Jonasson then ran out of the bedroom, and stood
26 by the front door of the suite for Vin Diesel to gather himself and leave.

27 29. Shortly thereafter, Vin Diesel left the bedroom and began walking toward
28 Ms. Jonasson. Ms. Jonasson hoped he would leave without any further incident, and Ms. Jonasson

1 instantly reached for the door so Vin Diesel would exit the suite. Vin Diesel immediately stated
2 “Don’t open that door.” Ms. Jonasson followed his instruction, unsure if Vin Diesel was still
3 intoxicated and growing increasingly concerned that he would not leave. Vin Diesel then approached
4 Ms. Jonasson, forcibly hugged her, and continued to embrace her for an extended period of time.
5 Ms. Jonasson was extremely uncomfortable but felt powerless to stop Vin Diesel. Vin Diesel was
6 her supervisor, was physically larger and stronger than Ms. Jonasson, and Ms. Jonasson was afraid
7 for her personal safety and job security if she were to anger him. Vin Diesel proceeded to grope
8 Ms. Jonasson’s body, including her breasts, and forcibly kissed Ms. Jonasson, who continually
9 pleaded with him to stop. Vin Diesel ignored her pleas and started to kiss Ms. Jonasson’s chest and
10 collarbone.

11 30. Ms. Jonasson was afraid to more forcibly refuse her supervisor, knowing that getting
12 him out of that room was both crucial to her personal safety and job security. But this hope died
13 when Vin Diesel dropped to his knees, pushed Ms. Jonasson’s dress up toward her waist, and
14 molested her body, running his hands over Ms. Jonasson’s upper legs, including her inner thighs. Vin
15 Diesel moved to pull Ms. Jonasson’s underwear down. At that moment, Ms. Jonasson screamed, and
16 in a panic, ran down the hallway towards the bathroom, knocking Vin Diesel to the floor. Vin Diesel
17 then stood up and walked over to Ms. Jonasson, pinned her to the wall with the left side of his body,
18 and again began to grope Ms. Jonasson’s body, including her breasts. Vin Diesel then grabbed
19 Ms. Jonasson’s left hand and placed it on his erect penis, which was covered only by his underwear
20 as Vin Diesel had unzipped or partly pulled down his cargo shorts during the sexual assault.
21 Disgusted, Ms. Jonasson immediately pulled her hand away and verbally refused. Vin Diesel ignored
22 Ms. Jonasson’s clear statement and actions of non-consent, and pulled his penis out of his underwear.
23 Vin Diesel then began to masturbate, still pinning Ms. Jonasson to the wall with the left side of his
24 body. Terrified, Ms. Jonasson closed her eyes, trying to dissociate from the sexual assault and avoid
25 angering him. Ms. Jonasson heard Vin Diesel make groaning noises, then Vin Diesel quickly
26 released her, went into the bathroom, and turned the sink on with the bathroom door open.
27 Ms. Jonasson was in complete shock, unable to move and feeling stuck to the wall. Vin Diesel then
28 exited the bathroom and looked at Ms. Jonasson and said “No one can say shit about Asta,” walking

1 past her as he left the suite. On information and belief, Vin Diesel was referencing that Ms. Jonasson
2 was not an easy or willing conquest, including her prior refusal to engage in sexual relations with
3 another supervisor.

4 31. As she stood alone in the suite, Ms. Jonasson suddenly felt a mix of relief that the
5 sexual assault was over and panic, and her heart felt like it was about to explode out of her chest.
6 Unexpectedly, Vin Diesel returned and Ms. Jonasson felt instantaneous terror. Vin Diesel asked for
7 his phone, and Ms. Jonasson managed to respond that the phone was in his pocket. Vin Diesel
8 responded “Good job,” and finally exited the hotel suite.

9 32. Mere hours later, on or about September 11, 2010, as Ms. Jonasson was still
10 processing the immediate aftermath of Vin Diesel’s sexual assault, Samantha Vincent called
11 Jonasson and stated that One Race no longer needed “any extra help” and terminated Ms. Jonasson’s
12 employment. Vincent also stated Ms. Jonasson would be paid for a full two weeks of work, even
13 though Ms. Jonasson worked less than two weeks. Ms. Jonasson had previously received praise for
14 her work at One Race, and it was clear to her that she was being fired because she was no longer
15 useful—Vin Diesel had used her to fulfill his sexual desires and she had resisted his sexual assaults.
16 Ms. Jonasson felt like she was a piece of trash to be discarded. Ms. Jonasson felt helpless, her self-
17 esteem was demolished, and she questioned her own skills and whether a successful career would
18 require her to trade her body for advancement.

19 33. On information and belief, Entity Defendants engaged in a cover up or attempted a
20 cover up of a previous instance or allegations of sexual assault by an alleged perpetrator of such
21 abuse, including but not limited to using non-disclosure agreements.

22 34. Prior to filing this action, Plaintiff exhausted her administrative remedies by filing a
23 timely administrative complaint with the California Civil Rights Department (“CCRD”) and
24 receiving a CCRD right-to-sue letter.

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1 **FIRST CAUSE OF ACTION**

2 **Discrimination on the Bases of Sex/Gender**

3 **(Gov. Code, § 12940, subd. (a))**

4 **(Against Entity Defendants)**

5 35. The allegations set forth in preceding paragraphs are re-alleged and incorporated
6 herein by reference.

7 36. At all times herein mentioned, FEHA, Government Code section 12900, *et seq.*, was
8 in full force and effect and was binding on Entity Defendants. This statute requires Entity
9 Defendants to refrain from discriminating against any employee on the basis of a protected class or
10 classes, e.g., the employee's sex/gender.

11 37. Plaintiff's characteristics protected by FEHA, Government Code section 12900, *et*
12 *seq.*, were substantial motivating reasons in Entity Defendants' decision to terminate Plaintiff's
13 employment, not to retain, hire, or otherwise employ Plaintiff in any position, and/or to take other
14 adverse employment actions against Plaintiff.

15 38. As a proximate result of Entity Defendants' willful, knowing, and intentional
16 discrimination against Plaintiff, Plaintiff has sustained and continues to sustain substantial losses of
17 earnings and other employment benefits.

18 39. As a proximate result of Entity Defendants' willful, knowing, and intentional
19 discrimination against Plaintiff, Plaintiff has suffered and continues to suffer humiliation, emotional
20 distress, and mental and physical pain and anguish, all to her damage in a sum according to proof.

21 40. The acts of Defendants alleged herein were undertaken with the intent to injure
22 Plaintiff, or with a willful and conscious disregard of her rights, and constitute oppressive, and
23 malicious conduct. As a result, Plaintiff is entitled to an award of punitive and exemplary damages.

24 41. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
25 Pursuant to section 12965, subdivision (c)(6) of the Government Code, Plaintiff is entitled to recover
26 reasonable attorneys' fees and costs in an amount according to proof.

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1 **SECOND CAUSE OF ACTION**

2 **Hostile Work Environment Harassment on the Bases of Sex/Gender**

3 **(Gov. Code, § 12940, subd. (j))**

4 **(Against Vin Diesel and Entity Defendants)**

5 42. The allegations set forth in preceding paragraphs are re-alleged and incorporated
6 herein by reference.

7 43. At all times herein mentioned, FEHA, Government Code section 12900, *et seq.*, was
8 in full force and effect and was binding on Defendants. This statute requires Defendants to refrain
9 from harassing any employee on the basis of a protected class or classes, e.g., the employee's
10 sex/gender, including sexual harassment.

11 44. Plaintiff was subjected to harassing conduct through a hostile work environment, in
12 whole or in part on the bases of Plaintiff's protected characteristics, in violation of Government
13 Code sections 12940(j) and 12923.

14 45. The harassing conduct was severe or pervasive. Pursuant to section 12923,
15 subdivision (b) of the Government Code, a single incident of harassing conduct is sufficient to create
16 a hostile work environment if the harassing conduct has unreasonably interfered with Plaintiff's
17 work performance or created an intimidating, hostile, or offensive working environment.
18 Defendants' above-described conduct created a work environment that was intimidating, hostile, or
19 offensive to female employees, including Plaintiff, and unreasonably interfered with Plaintiff's work
20 performance.

21 46. A reasonable person in Plaintiff's circumstances would have considered the work
22 environment to be hostile or abusive.

23 47. Plaintiff did in fact considered the work environment to be hostile or abusive.

24 48. At the time of the relevant conduct, Vincent and Vin Diesel were acting as Plaintiff's
25 supervisors.

26 49. As a direct and proximate result of the conduct of Defendants, Plaintiff has and will
27 continue to suffer harm, including lost earnings, salary, and other job benefits, and humiliation,
28 embarrassment, and emotional distress as a result of the harassment.

1 71. Plaintiff engaged in protected activity when she disclosed, or her employer thought
2 she may disclose, reasonable suspicions of violations of law to Defendants, who had authority over
3 Plaintiff and had authority to investigate, discover, or correct the violations or noncompliance alleged
4 above. Plaintiff also engaged in protected activity for resisting and refusing to participate in sexual
5 harassment and sexual assault.

6 72. Plaintiff had a reasonable belief that Defendants were violating actual or potential
7 state and federal laws and regulations, including but not limited to engaging in sexual harassment
8 and sexual assault in violation of, *inter alia*, Government Code Section 12900 *et seq.*

9 73. Defendants retaliated against Plaintiff for protected activity by taking adverse
10 employment action against Plaintiff, including by terminating her employment, in violation of
11 section 1102.5 of the Labor Code.

12 74. Plaintiff's protected activity was a significant factor in Defendants' decision to
13 terminate Plaintiff's employment.

14 75. As a proximate result of Defendants' actions, Plaintiff has suffered and continues to
15 suffer harm, including lost earnings, salary, and other job benefits, and humiliation, embarrassment,
16 and emotional distress, according to proof.

17 76. Defendants' misconduct was committed intentionally, in a malicious, fraudulent,
18 despicable, and/or oppressive manner, and this entitles Plaintiff to punitive damages against
19 Defendants.

20 77. Plaintiff requests all available relief under section 1102.5 of the Labor Code,
21 including damages and the imposition of a civil penalty of \$10,000.00 for each violation.

22 78. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
23 Pursuant to subdivision (j) of section 1102.5 of the Labor Code, Plaintiff is entitled to
24 recover reasonable attorneys' fees and costs in an amount according to proof.

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1 **SIXTH CAUSE OF ACTION**

2 **Violation of Labor Code, § 98.6**

3 **(Lab. Code, § 98.6)**

4 **(Against all Defendants)**

5 79. The allegations set forth in preceding paragraphs are re-alleged and incorporated
6 herein by reference.

7 80. At all relevant times, section 98.6 of the Labor Code was in effect and was binding
8 on Defendants. This statute prohibits an employer from discriminating, retaliating, or taking any
9 adverse action against any employee or applicant for employment because the employee or applicant
10 engaged in any conduct described in section 1101, *et seq.*, including section 1102.5 of the Labor
11 Code.

12 81. At all relevant times, section 1102.5 of the Labor Code was in effect and was binding
13 on Defendants. This statute provides in part that “[a]n employer, or any person acting on behalf of
14 the employer, shall not retaliate against an employee for disclosing information, or because the
15 employer believes that the employee disclosed or may disclose information, to a government or law
16 enforcement agency, to a person with authority over the employee or another employee who has the
17 authority to investigate, discover, or correct the violation or noncompliance, ... if the employee has
18 reasonable cause to believe that the information discloses a violation of” law. The statute also
19 further provides that “[a]n employer, or any person acting on behalf of the employer, shall not
20 retaliate against an employee for refusing to participate in an activity that would result in a violation
21 of state or federal statute, or a violation of or noncompliance with a local, state, or federal rule or
22 regulation.”

23 82. Entity Defendants were Plaintiff’s employer. Vincent and Vin Diesel were persons
24 acting on behalf of Plaintiff’s employer.

25 83. Plaintiff engaged in protected activity when she disclosed, or her employer thought
26 she may disclose, reasonable suspicions of violations of law to Defendants, who had authority over
27 Plaintiff and had authority to investigate, discover, or correct the violations or noncompliance alleged
28 above. Plaintiff also engaged in protected activity for resisting and refusing to participate in sexual

1 harassment and sexual assault.

2 84. Plaintiff had a reasonable belief that Defendants were violating actual or potential
3 state and federal laws and regulations, including but not limited to engaging in sexual harassment
4 and sexual assault in violation of, *inter alia*, Government Code section 12900 *et seq.*

5 85. Defendants retaliated against Plaintiff for protected activity by taking adverse
6 employment action against Plaintiff, including by terminating her employment, in violation of
7 sections 98.6 and 1102.5 of the Labor Code.

8 86. Plaintiff's protected activity was a significant factor in Defendants' decision to
9 terminate Plaintiff's employment.

10 87. As a proximate result of Entity Defendants' actions, Plaintiff has and will continue to
11 suffer harm, including lost earnings, salary, and other job benefits, and humiliation, embarrassment,
12 and emotional distress, according to proof.

13 88. Entity Defendants' misconduct was committed intentionally, in a malicious,
14 fraudulent, despicable, and/or oppressive manner, and this entitles Plaintiff to punitive damages
15 against Entity Defendants.

16 89. Plaintiff requests all available relief under section 98.6 of the Labor Code, including
17 reimbursement for lost wages and benefits pursuant to subdivision (b)(1) of section 98.6, and the
18 imposition of a civil penalty of \$10,000.00 for each violation pursuant to subdivision (b)(3) of
19 section 98.6.

20 90. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
21 Pursuant to section 1021.5 of the Code of Civil Procedure, which provides that a "court may award
22 attorney's fees to a successful party against one or more opposing party in any action which has
23 resulted in the enforcement of an important right affecting the public interest," Plaintiff seeks
24 reasonable attorneys' fees and costs incurred in bringing this claim.

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1 **SEVENTH CAUSE OF ACTION**

2 **Wrongful Termination in Violation of Public Policy**

3 **(Against Entity Defendants)**

4 91. The allegations set forth in preceding paragraphs are re-alleged and incorporated
5 herein by reference.

6 92. Entity Defendants terminated Plaintiff's employment in violation of various
7 fundamental public policies underlying state law. These actions were in violation of, but not limited
8 to Government Code section 12900, *et seq.*, and sections 98.6, 1102.5, and 6310 of the Labor Code.

9 93. At all times material hereto, sections 98.6, 1102.5, and 6310 of the Labor Code was
10 in full force and effect and was binding on Entity Defendants. These laws require Entity Defendants
11 to refrain from, among other things, retaliating against employees who disclose to their employer, or
12 refuse to participate in or condone, conduct they reasonably believe to violate state or federal law
13 or regulations, including unsafe work conditions. These sections of Labor Code set forth a
14 fundamental public policy of the State of California.

15 94. The public has a fundamental interest in a workplace free from discrimination,
16 harassment, and retaliation, as embodied by the California Constitution, Article I, Section 8, the
17 California Fair Employment and Housing Act, and the Fair Labor Standards Act.

18 95. As described above, Plaintiff engaged in protected activity when she disclosed, or her
19 employer thought she may disclose, reasonable suspicions of violations of law to Defendants, who
20 had authority over Plaintiff and had authority to investigate, discover, or correct the violations or
21 noncompliance alleged above, and resisted and refused to participate in illegal practices.

22 96. Entity Defendants retaliated against Plaintiff for her protected activity by unlawfully
23 terminating her employment in violation of sections 98.6, 1102.5, and 6310 of the Labor Code. These
24 adverse employment actions materially and adversely affected Plaintiff's overall terms and
25 conditions of employment. These adverse employment actions were motivated by Plaintiff's
26 whistleblowing and her refusal to participate in or condone illegal activity and therefore constituted
27 wrongful conduct in violation of fundamental public policy.

28 97. As a proximate result of Entity Defendants' actions, Plaintiff has and will continue to

1 suffer harm, including lost earnings, salary, and other job benefits, and humiliation, embarrassment,
2 and emotional distress, according to proof.

3 98. Entity Defendants' actions were committed intentionally, in a malicious, fraudulent,
4 despicable, and/or oppressive manner, and this entitles Plaintiff to punitive damages.

5 99. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
6 Pursuant to Code of Civil Procedure sections 1021.5 and 1032, *et seq.* Plaintiff is entitled to recover
7 reasonable attorneys' fees and costs in an amount according to proof.

8 **EIGHTH CAUSE OF ACTION**

9 **Sexual Battery**

10 **(Civ. Code, § 1708.5)**

11 **(Against all Defendants)**

12 100. The allegations set forth in preceding paragraphs are re-alleged and incorporated
13 herein by reference.

14 101. Vin Diesel intentionally subjected Plaintiff to acts of sexual assault and battery,
15 including causing harmful and offensive contact with Plaintiff's sexual organs and breasts, and a
16 sexually offensive contact with Plaintiff resulted, either directly or indirectly. Through these
17 actions, Vin Diesel intended to cause harmful or offensive contact with Plaintiff's person, and/or
18 intended to put Plaintiff in imminent apprehension of such contact. These incidents of sexual assault
19 occurred while Plaintiff was an employee of Entity Defendants and their agent, acting on behalf of
20 Entity Defendants.

21 102. Vin Diesel did the aforementioned acts with the intent to cause a harmful or offensive
22 contact with an intimate part of Plaintiff's person and would offend a reasonable sense of personal
23 dignity. Further, said acts did cause a harmful or offensive contact with an intimate part of Plaintiff's
24 person that would offend a reasonable sense of personal dignity.

25 103. Plaintiff did not consent to the touching.

26 104. Vin Diesel's sexual battery of Plaintiff fell within the scope of Plaintiff's employment
27 for the purposes of *respondeat superior*. The sexual battery was engendered by or arose from the
28 employment. As such, Entity Defendants are liable for Vin Diesel's sexual battery of Plaintiff.

1 properly vigilant in ensuring that such supervision was sufficient to ensure the safety of Plaintiff and
2 others.

3 111. Entity Defendants had a duty to and failed to adequately train and supervise all
4 employees on sexual harassment and assault, and to implement any procedures or complaint process
5 for employees to report or seek refuge from sexual harassment.

6 112. Entity Defendants had a duty to investigate Plaintiff's complaint of sexual harassment
7 and not to retaliate against her.

8 113. Entity Defendants owed a duty of care to Plaintiff to appoint, hire, retain, and
9 supervise persons who would not engage in retaliatory, harassing, or discriminatory conduct, and not
10 to retain managers, supervisors, or employees who would discriminate against, harass, or retaliate
11 against employees for engaging in protected activities. Entity Defendants owed a duty of care to
12 Plaintiff to supervise its managers and employees closely to ensure that they would refrain from
13 harassing and retaliating against Plaintiff.

14 114. Entity Defendants' conduct, actions, and omissions served to create an environment
15 in which Vin Diesel was permitted to sexually abuse and assault Plaintiff. Upon report of Plaintiff's
16 assaults, Entity Defendants should have investigated and appropriately responded to such complaints,
17 and should have taken action to further protect Plaintiff.

18 115. Entity Defendants breached these duties. As is set forth herein, Entity Defendants
19 failed to uphold numerous duties imposed upon it by state and federal law, including, but not limited
20 to, the following: (1) duty to use reasonable care to protect employees from known or foreseeable
21 dangers; (2) duty to protect employees and provide adequate supervision; (3) duty to supervise Vin
22 Diesel and other employees; (4) duty to act promptly and diligently and not ignore or minimize
23 problems; and (5) duty to refrain from violating Plaintiff's right to protection from bodily restraint
24 or harm.

25 116. As a proximate result of Defendants' actions, Plaintiff has and will continue to suffer
26 harm, including lost earnings, salary, and other job benefits, and humiliation, embarrassment, and
27 emotional distress, according to proof.

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1 **TENTH CAUSE OF ACTION**

2 **Intentional Infliction of Emotional Distress**

3 **(Against all Defendants)**

4 117. The allegations set forth in preceding paragraphs are re-alleged and incorporated
5 herein by reference.

6 118. Defendants' discriminatory, harassing, and retaliatory actions against Plaintiff
7 constituted extreme and outrageous misconduct. Defendants' conduct as alleged herein was
8 outrageous and exceed all bounds of decency and is odious and utterly intolerable in a civilized
9 society.

10 119. Vin Diesel's sexual battery of and gender violence toward Plaintiff constituted
11 extreme and outrageous misconduct. This misconduct arose out of Plaintiff's employment with
12 Entity Defendants and was thereafter ratified by Entity Defendants and Vincent.

13 120. A reasonable person would not expect or tolerate Vin Diesel's sexual harassment and
14 assaults, and Defendants' knowledge and callous indifference thereof. Plaintiff had great trust, faith,
15 and confidence in Defendants, which, by virtue of Defendants' wrongful conduct, turned to fear.

16 121. A reasonable person would not expect or tolerate the Defendants and their agents to
17 be incapable of supervising and/or stopping participants and members of Defendants, including Vin
18 Diesel, from committing wrongful sexual acts with other employees, including Plaintiff, or to report
19 Vin Diesel. As a direct and proximate result of Defendants' tortious acts, omissions, wrongful
20 conduct and breaches of their duties, Plaintiff has suffered injury, all to her general, special, and
21 consequential damage in an amount to be proven at trial, but in no event less than the minimum
22 jurisdictional amount of this Court.

23 122. Defendants' conduct described herein caused Plaintiff severe emotional distress.
24 Defendants were aware that treating Plaintiff in the manner alleged above, including depriving
25 Plaintiff of her livelihood, would devastate Plaintiff and cause her extreme hardship.

26 123. As a proximate result of Defendants' extreme and outrageous conduct, Plaintiff as
27 suffered and continues to suffer severe emotional distress, humiliation, and mental and physical pain
28 and anguish. Plaintiff has sustained and continues to sustain substantial losses of earnings and other

1 employment benefits as a result of being emotionally distressed.

2 124. Plaintiff is informed and based thereon alleges that the conduct of Defendants was
3 oppressive, malicious, manipulative, and despicable in that it was intentional and done in conscious
4 disregard for the rights and safety of others, and were carried out with a conscious disregard of their
5 rights to be free from such tortious behavior, such as to constitute oppression, fraud or malice
6 pursuant to section 3294 of the Civil Code, entitling Plaintiff to punitive damages against Defendants
7 in an amount appropriate to punish and set an example of Defendants.

8 **PRAYER FOR RELIEF**

9 WHEREFORE, Plaintiff prays for judgment against Defendants as follows:

- 10 1. For compensatory damages and other special and general damages according to proof,
11 including, without limitation, lost earnings, salary, bonuses, and other job benefits Plaintiff would
12 have received but for Defendants' wrongful conduct;
- 13 2. Emotional distress damages;
- 14 3. Punitive and exemplary damages in an amount sufficient to punish Defendants, and
15 to make an example of and deter Defendants from engaging in such conduct in the future;
- 16 4. Statutory damages and penalties as appropriate, including without limitation, for a
17 civil penalty of \$10,000 for each violation of sections 98.6 and 1102.5 of the Labor Code;
- 18 5. For an award of reasonable attorneys' fees and costs incurred in this action;
- 19 6. For pre-judgment and post-judgment interest, as provided by law; and
- 20 7. For other and further relief as the Court may deem just and proper.

21 DATED: December 21, 2023

GREENBERG GROSS LLP

22 By: 

23 Brian L. Williams
24 Claire-Lise Y. Kutlay
25 Matthew T. Hale

26 Attorneys for Plaintiff
27 Asta Jonasson
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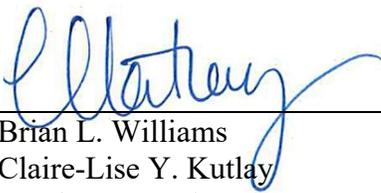
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DEMAND FOR JURY TRIAL

Plaintiff Asta Jonasson hereby demands a trial by jury in this matter.

DATED: December 21, 2023

GREENBERG GROSS LLP

By: 

Brian L. Williams

Claire-Lise Y. Kutlay

Matthew T. Hale

Attorneys for Plaintiff

Asta Jonasson