

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ALEXANDRIA

LISA BOWMAN)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. _____
)	
UNITED WAY WORLDWIDE,)	
)	
Defendant.)	
_____)	

COMPLAINT
(JURY TRIAL DEMANDED)

Plaintiff LISA BOWMAN (“Ms. Bowman”), by counsel, files this Complaint against Defendant UNITED WAY WORLDWIDE (“UWW”) upon the grounds set forth below:

SUMMARY

1. During Ms. Bowman’s employment with UWW, Ms. Bowman was harassed, subjected to a hostile work environment because of her gender (female), and subsequently retaliated against for complaining about such unlawful conduct, in violation of Title VII of the Civil Rights Act (“Title VII”).

PARTIES

2. Ms. Bowman is an individual resident of the State of Georgia.
3. Ms. Bowman was an “employee” of UWW within the meaning of 42 U.S.C. § 2000e(b).
4. UWW is a New York corporation that is registered to do business in Virginia, with its principal place of business at 701 North Fairfax Street, Alexandria, Virginia 22314.

5. UWW is engaged in an industry affecting commerce and has had more than 15 employees in each of 20 or more calendar weeks in the current or preceding year, within the meaning of 42 U.S.C. § 2000e(b).

JURISDICTION AND VENUE

6. This Court has jurisdiction pursuant to Va. Code §§ 8.01-328.1 and 17.1-513.

7. Venue is proper in this judicial circuit pursuant to Va. Code § 8.01-262.

FACTUAL AND LEGAL ALLEGATIONS

UWW

8. UWW is a nonprofit organization that provides leadership and support to an international network of approximately 1,800 local nonprofit fundraising affiliates.

Ms. Bowman

9. From November 2015 to February 2020, Ms. Bowman was employed by UWW as Executive Vice President and Chief Marketing and Communications Officer (“CMO”), reporting directly to UWW’s President and Chief Executive Officer, Brian Gallagher (“Mr. Gallagher”).

10. Ms. Bowman joined UWW from UPS, where, as part of her \$80 million social investment portfolio in The UPS Foundation, she oversaw the transportation company’s UWW campaign. During her four-year tenure overseeing the campaign, which was supported by over 300,000 employees, contributions to UWW increased from \$48 million to \$65 million. Ms. Bowman began her career with UPS in 2000 as Vice President of Market Development for UPS eVentures, the company’s dot-com incubator. In subsequent senior level marketing roles, she led several high-profile marketing initiatives designed to transform UPS from its historical position as a business-to-business entity into a business-to-business-to-consumer entity. Ms. Bowman was instrumental in bringing to market The UPS Store, a franchised network of approximately 3,500

locations that paid dues and were independently owned and operated – a very similar structure to the UWW network.

11. As UWW's CMO, Ms. Bowman led UWW's efforts to create, develop and implement UWW's global marketing strategies. She oversaw brand, media strategy, product/segment marketing, communications, data analytics, and strategic alliances such as the famed NFL and UWW partnership. Under her leadership, UWW premiered a television show, The Hero Effect, which aired on the Oprah Winfrey Network, partnered with Beyonce on her Formation Tour, and launched an award-winning brand campaign, Join the Fight.

12. Ms. Bowman's work at UWW received numerous awards for both her and the organization. The PSA campaign that she launched on behalf of UWW was recognized as PSA of the Year by PR News. She was recognized as the American Marketing Association's 2017 Marketer of the Year and as Marketer of the Year by Target Marketing magazine in December 2019. Her work received numerous awards, including the Harvey Communications Award, multiple gold Stevie Awards, multiple PR News awards, multiple gold MarCom awards, and two OnCon Awards. Under Ms. Bowman's leadership, UWW's research team also received a Digital Edge 50 Award for Performance Link.

13. Ms. Bowman is a former chairperson of UWW's Global Corporate Leaders Advisory Council. During her tenure at UWW, Ms. Bowman also held a seat on the National Board of the American Marketing Association, and was a strategic advisor to Gatekeepers, an elite community of top leaders dedicated to giving back to the up-and-coming leadership community.

14. During Ms. Bowman's career at UWW, she received overwhelmingly positive performance reviews. Her annual bonuses averaged 12.5% against targeted eligibility of 15% based on 50% individual performance and 50% organizational performance.

William Browning

15. In October 2017, Mr. Gallagher asked Ms. Bowman to interview William Browning (“Mr. Browning”) for the new role of Chief Strategy and Transformation Officer. This role was a Senior Vice President level on the Executive Management Team (“EMT”). At the time, Mr. Browning held a role at United Way Mile High in Denver, Colorado.

16. Upon arrival for his interview, Mr. Browning stepped very close to Ms. Bowman, inside the boundaries of what would be considered “personal space,” looked down at her, and in response to her extended hand said, “You’re really intimidating. I hear you have a reputation for getting sh*t done and taking no sh*t.”

17. During the interview, Mr. Browning told Ms. Bowman that “they would tangle.” When Ms. Bowman responded that in the event of a disagreement, they’d solve it professionally behind closed doors, Mr. Browning responded with “That would be fun.”

18. Ms. Bowman shared with Mr. Gallagher upon his request for feedback that while Mr. Browning appeared to be technically competent, she was reluctant to endorse him for the role as a result of his behavior and commentary. In response to Ms. Bowman sharing the “intimidating” comment, Mr. Gallagher’s reply to her was, “But Lisa, you are intimidating.”

19. In October 2017, UWW hired Mr. Browning as Chief Strategy and Transformation Officer. For the first several months of his employment, Mr. Browning worked part-time at United Way Mile High in Denver, Colorado and part-time at UWW.

20. In his role as Chief Strategy and Transformation Officer, Mr. Browning was responsible for developing and implementing the Salesforce Philanthropy Cloud digital application within the UWW network as well as the sale of licenses for the product, which was the majority of UWW’s digital transformation plan.

21. Mr. Browning was not successful in implementing UWW's digital transformation plan. UWW had an approximately \$64 million financial commitment to Salesforce for the Salesforce Philanthropy Cloud digital application. The goal was to sell one million licenses by the end of 2019. Mr. Browning did not even come close to meeting this goal.

Harassment by Mr. Browning and Ms. Bowman's Complaints

22. Upon information and belief, during Mr. Browning's tenure with UWW, multiple female employees filed Human Resources ("HR") complaints against him alleging harassment and hostile work environment.

23. In 2018, upon starting full-time employment at UWW, Mr. Browning repeatedly employed a tactic of making a nasty comment toward Ms. Bowman then following it with a compliment about her appearance.

24. Mr. Browning's early dealings with Ms. Bowman were unprofessional and odd. The following are several examples:

a. Mr. Browning routinely addressed Ms. Bowman as "Bowman," "Boss," or "Boss Lady" (even though she was his counterpart and not his supervisor) instead of calling her by her first name, as was the custom at UWW, and did so in front of others.

b. He initiated the scheduling of weekly one-on-one meetings with her regarding projects they were jointly working on and then did not show up repeatedly.

c. Mr. Browning scheduled a meeting in Toronto, Ontario and requested that Ms. Bowman attend. He provided no details in response to multiple requests for information regarding the meeting until the week prior, then suggested she attend two full days by phone when all other attendees were present in person. He subsequently failed to provide Ms. Bowman the required dial-in information that would allow for her to attend the meeting and established

communications protocols with the local United Way offices in attendance that circumvented Ms. Bowman and her team, making it very hard for them to do their job, let alone be successful.

25. Mr. Browning requested that Ms. Bowman join him in Miami, Florida on June 11, 2018 for a presentation to three local United Ways. When Ms. Bowman asked to see the agenda and inquired about her role in the meeting, he responded that she should “sit there and just hang out.” The intent of the meeting was to secure the participation of those three United Ways in Salesforce Philanthropy Cloud and Ms. Bowman had informed Mr. Browning that she had good relationships with those entities. Mr. Browning offered to complete the initial draft of the presentation but as of 10:00 pm the evening prior, Ms. Bowman still had not received it. During the presentation, Mr. Browning announced, “I was going to let Lisa present some of this, but she’s probably not capable.”

26. Ms. Bowman relayed what happened at the Miami presentation to JG LaChance (“Mr. LaChance”), UWW’s Chief of Staff, who took no action in response.

27. During a two-day EMT retreat in July 2018, women were often excluded from social events while men smoked cigars.

28. During the summer of 2018, Mr. Browning started repeatedly making inappropriate comments about Ms. Bowman’s appearance and behaving in an intimidating manner toward Ms. Bowman. Ms. Bowman reported to UWW’s HR Director, Theresa Carpenter (“Ms. Carpenter”), that Mr. Browning was making her feel uncomfortable.

29. After Ms. Bowman attempted to deflect Mr. Browning’s comments about her appearance or otherwise did not respond favorably to his inappropriate behavior, Mr. Browning’s attitude toward Ms. Bowman became nasty.

30. In September 2018, when Mr. Browning and Ms. Bowman were both scheduled to attend the annual Dreamforce Event, Mr. Browning informed Ms. Bowman that he had rented an Airbnb and invited her to stay there with him during the event. Ms. Bowman declined Mr. Browning's invitation.

31. Ms. Bowman informed Ms. Carpenter of this occurrence because she was concerned about UWW's liability exposure resulting from Mr. Browning inviting female employees to stay with him. Ms. Carpenter agreed and told Ms. Bowman she would raise the issue to Lori Malcolm ("Ms. Malcolm"), who was then UWW's Chief Culture Officer and later also became UWW's Chief Operations Officer ("COO").

32. Following that conversation, another female employee on Mr. Browning's team, Sofiat Abdulrazaaq, stayed with Mr. Browning at his Airbnb during the Dreamforce Event. Ms. Abdulrazaaq subsequently "resigned" and told Ms. Bowman that she had been having "issues" with Mr. Browning. She also indicated to Ms. Bowman that other employees staying in the Airbnb were "uncomfortable" and she would not recommend that UWW do this again with a co-ed facility.

33. In October 2018, Ms. Bowman spoke with Ms. Malcolm about the issues she was experiencing with Mr. Browning. Specifically, Ms. Bowman informed Ms. Malcolm about Mr. Browning's constant comments about her appearance, her efforts to ignore or deflect these comments, and his nastiness when she didn't respond to the comments as he apparently desired.

34. Ms. Bowman informed Ms. Malcolm that she was planning to meet with Mr. Browning in Chicago in an effort to address these issues and improve their working relationship. Ms. Malcolm asked Ms. Bowman to report back to her after the meeting.

35. On October 18, 2018, Ms. Bowman met with Mr. Browning for breakfast in Chicago when they were both there for independent business trips. Ms. Bowman attempted to

address various issues with Mr. Browning, but he did not provide a substantive response. Ms. Bowman specifically asked Mr. Browning what could be done to improve their working relationship and he offered no response. Immediately after leaving this breakfast meeting, Ms. Bowman had an anxiety attack.

36. On October 26, 2018, Ms. Bowman met with Ms. Malcolm with the stated purpose of following up to her discussion with Mr. Browning and asking for Ms. Malcolm's assistance. However, Ms. Malcolm spent the meeting soliciting Ms. Bowman's support for her to become UWW's COO.

37. In December 2018, Ms. Malcolm was promoted to COO and Mr. Browning was promoted from Senior Vice President to Executive Vice President and given additional responsibilities.

38. In January and February 2019, Mr. Browning repeatedly and more frequently made inappropriate comments about Ms. Bowman's appearance. Specifically, he commented on her hair, her glasses, and how her body looked in certain clothing – e.g., “you look great in your glasses,” “your hair is looking really nice today,” “I like the way that dress/skirt/outfit fits you,” and “that outfit is really flattering on you.”

39. At this point, Ms. Bowman was taking precautions to not be alone with Mr. Browning. She adjusted her work schedule and even routes of travel within the office so as to avoid him unless absolutely necessary.

40. Mr. Browning began a pattern of pacing back and forth outside of Ms. Bowman's office multiple times each day. At that time, they worked on different floors and there was nothing in proximity to Ms. Bowman's office that would be in his travel path. Ms. Bowman's employees took notice of this.

41. The following are several examples of Mr. Browning's inappropriate and harassing conduct toward Ms. Bowman in early 2019:

a. On January 17, 2019, Mr. Browning encountered Ms. Bowman as she was leaving her office, blatantly scanned her body up and down multiple times, and told her, "You look great today. Really sharp. Nice." Immediately after this encounter, Ms. Bowman stopped by Ms. Carpenter's office, which was three doors down from hers, to inquire if Ms. Carpenter had overheard Mr. Browning's comments. Ms. Carpenter had not overheard the comments and, when Ms. Bowman made her aware of the comments, Ms. Carpenter just shook her head.

b. On February 21, 2019, as Ms. Bowman was walking out of her office, Mr. Browning visually scanned her body up and down and complimented her looks.

c. On February 26, 2019, Mr. Browning again visually scanned Ms. Bowman's body and commented on how great her skirt looked on her body.

42. Several of her team members asked Ms. Bowman why Mr. Browning was always hovering near Ms. Bowman's office and commented that they had seen Mr. Browning looking at Ms. Bowman in ways that made them uncomfortable.

43. In February 2019, both Ms. Bowman and Suzanne Takeuchi ("Ms. Takeuchi"), Vice President of Marketing and Brand Management at UWW, separately reported to Amy Dinofrio ("Ms. Dinofrio"), Vice President of People and Strategies, the following instances of harassment by Mr. Browning against two female subordinates:

a. Simone Wray ("Ms. Wray"), a Senior Associate, reported that Mr. Browning had "stalked" her and ultimately "slithered over to her" at a UWW event called "Hive and Jive" on January 31, 2019. Ms. Wray stated that she felt Mr. Browning watching her multiple times during the event. Ms. Wray had never had a conversation with Mr. Browning before that

day. Mr. Browning was aware that Ms. Wray had applied for a role on his team, and he commented to her at the event, “I would love to see you working on my floor every day.” Ms. Wray stated that this conversation made her feel very uncomfortable.

b. Cassandra Escalera (“Ms. Escalera”), Director of Women’s Engagement, who is Latina, reported that at the Hive and Jive event, Mr. Browning stated that he wanted to “punch Latinos who support President Trump in the face.” Ms. Escalera made Ms. Takeuchi aware of this incident directly and Ms. Takeuchi made Ms. Bowman, as her supervisor, aware.

44. At the time these employees reported these incidents to Ms. Bowman and Ms. Takeuchi, the UWW Policy on Sexual Harassment stated:

All supervisors of UWW are required to immediately report any incident of potentially harassing, discriminatory, or retaliatory conduct of which they become aware. Failure to immediately report such conduct is grounds for discipline up to and including termination of employment. Any UWW employee who receives a complaint or observes harassing conduct must promptly inform so that an investigation may be initiated.

45. Ms. Takeuchi and Ms. Bowman reported the incidents involving Ms. Wray and Ms. Escalera to Ms. Dinofrio in accordance with the above-referenced policy because, as supervisors, they were required to report “any incident of potentially harassing, discriminatory, or retaliatory conduct of which they become aware.” On February 13, 2019 Ms. Dinofrio stated that she spoke with Ms. Malcolm and would speak to Mr. Browning the following week.

46. During a conference on February 26, 2019, Mr. Browning leered at Ms. Bowman and commented about how her skirt fit her body in front of two of Ms. Bowman’s subordinates, including Sarah Storrs. This incident had such a profound effect on Ms. Bowman that she had to leave the conference and was not able to return. She felt that Mr. Browning had reduced her worth to nothing but her physical appearance. Further, he had demeaned, marginalized, and objectified her in front of her colleagues.

47. That evening, Ms. Bowman reported this incident with Mr. Browning to Mr. LaChance and requested Mr. LaChance's guidance as she was reluctant to go to Ms. Malcolm about a peer. Mr. LaChance counseled her to bring it to Ms. Donofrio's attention.

48. On February 27, 2019, Ms. Bowman reported the incident to Ms. Dinofrio in tears. Ms. Dinofrio subsequently sent Ms. Bowman an email stating that "after speaking with Ms. Malcolm she felt that this is more than inappropriate. This is not a behavior you or anyone else should experience ever. You should not have any retaliation or issues from him and if you do please alert me immediately."

49. Upon information and belief, HR took no meaningful action in response to Ms. Bowman's repeated complaints about Mr. Browning's behavior.

Retaliation After Ms. Bowman's Complaints

50. After Ms. Bowman complained to Ms. Carpenter, Ms. Dinofrio, and Ms. Malcolm about Mr. Browning's treatment of her and other female employees, UWW engaged in a pattern of retaliating against her.

51. Starting in March 2019, Mr. Gallagher suddenly removed resources from Ms. Bowman's team, allocating those resources to Mr. Browning without reducing the duties and responsibilities of Ms. Bowman and her team, and did not allow Ms. Bowman to replace resources even though Mr. Browning and other executive team members were permitted to fill open positions.

52. Starting in March 2019, Mr. Gallagher curtailed Ms. Bowman's access to and visibility with the UWW Board of Directors.

53. On March 15, 2019, the following occurred during a telephone conversation between Mr. Gallagher and Ms. Bowman:

a. Mr. Gallagher informed Ms. Bowman that he was moving the digital marketing team that previously reported to her Ms. Bowman to Mr. Browning, even though Mr. Browning had no education or experience in marketing.

b. Mr. Gallagher told Ms. Bowman that she needed to “learn to get along with [Mr. Browning].” Ms. Bowman asked Mr. Gallagher if he was aware of her conversations with HR about Mr. Browning’s behavior toward her and he responded, “yes, and you and your girls need to get along with him.” Ms. Bowman explained that the issue was not about “getting along,” but rather was about unacceptable behavior that placed UWW at risk.

c. Mr. Gallagher instructed Ms. Bowman to “get rid of Ms. Takeuchi,” who was Ms. Bowman’s direct report. Ms. Bowman pushed back on Mr. Gallagher’s directive to “get rid of Ms. Takeuchi,” and Mr. Gallagher repeated the directive multiple times in subsequent months.

54. On April 2, 2019, the following occurred during a conversation between Mr. Gallagher and Ms. Bowman:

a. Mr. Gallagher informed Ms. Bowman that UWW would shift to be a “totally digital marketing organization.” Digital marketing was under Mr. Browning, who was not an experienced marketing practitioner.

b. Mr. Gallagher again told Ms. Bowman that “[Ms. Takeuchi]’s got to go.” Ms. Bowman responded that she believed Ms. Takeuchi would leave on her own within six months due to frustration, and he responded that six months was too long. Mr. Gallagher cited performance issues related to Ms. Takeuchi that Ms. Bowman believed were inaccurate, so she corrected him and explained that Ms. Takeuchi was the top performer on her team.

55. On April 4, 2019, Mr. Gallagher gave Ms. Bowman her 2018 performance review, which included a lower rating than prior reviews and comments that were in contrast to her 2018 mid-year review, which took place on November 6, 2018. Ms. Bowman stated in her 2018 self-evaluation, “I believe in spite of significant and persistent challenges posed to me by a single colleague, that candidly amount to harassment and bullying, I have risen above and demonstrated our cultural values, taking the high road.” Mr. Gallagher commended Ms. Bowman for doing this when, in his words, “[she] had every reason not to.”

56. On April 4, 2019, Cynthia Myree, Ms. Bowman’s former executive assistant, who is African American, told Ms. Bowman that she had an encounter with Mr. Browning in which he picked up one of her braids, looked at it, and made a comment about how good her hair looked. Ms. Myree reported that this made her feel uncomfortable and that it was “creepy.”

57. On April 9, 2019, Ms. Bowman told Ms. Malcolm that she felt that she and Ms. Takeuchi were being targeted as a result of raising concerns about Mr. Browning’s behavior. Ms. Bowman made Ms. Malcolm aware of Mr. Gallagher’s directive to “get rid of [Ms. Takeuchi]” and expressed concern that this was retaliatory.

58. At the end of April 2019, UWW held a Global Conference in Toronto with all EMT members in attendance. Ms. Bowman had partnered with the Chief of Staff to develop much of the programming and format for the conference. However, Ms. Bowman was uninvited to a meeting with local United Way CEOs that all other EMT members attended. Throughout the conference, Ms. Bowman was largely ignored by other EMT members and given no role at the event.

59. Ms. Bowman reported to Ms. Malcolm that she felt she was being deliberately excluded from key meetings at the conference.

60. Tolly Love, Chief Development Officer, told Ms. Bowman that she had raised a concern with Ms. Malcolm about a female employee on her team who was interested in a role on Mr. Browning's team. Ms. Love had expressed to Ms. Malcolm that she was afraid that Mr. Browning's behavior toward this woman would result in her filing a sexual harassment claim against UWW.

61. Ms. Carpenter, who was responsible for Employee Relations, confided to Ms. Bowman that she had received many complaints against Mr. Browning, conducted an investigation per UWW policy, and submitted a report to Ms. Malcolm. She had offered to work with and coach Mr. Browning. According to Ms. Carpenter, Ms. Malcolm had blocked those attempts and told her to "back off." In June 2019, shortly after submitting the report to Ms. Malcolm, Ms. Carpenter's employment was terminated.

62. In September or October 2019, Ms. Malcolm asked Ms. Bowman if she would be willing to speak with Mr. Browning's coach (Tony Crowley) to help him. This request made Ms. Bowman extremely uncomfortable, but she agreed because she felt pressured. Ms. Bowman told the coach about Mr. Browning's inappropriate behavior toward her. Ms. Bowman was asked to meet with Mr. Browning's coach a second time, but she declined because her team was extremely busy at the time and she felt uncomfortable being involved in Mr. Browning's coaching.

63. On October 16, 2019, Ms. Bowman called Mr. Browning to try to resolve various work issues. Mr. Browning became passive-aggressive and started bullying Ms. Bowman by yelling at her, dismissing her concerns, and insulting her.

64. In October 2019, working relationships between Ms. Bowman's team and Mr. Browning's team deteriorated, impacting UWW's work and external clients.

65. In October 2019, Ms. Bowman called Ms. Malcolm, relayed to her the issues addressed in the preceding two paragraphs, and informed Ms. Malcolm that she was experiencing significant anxiety and stress resulting from Mr. Browning's harassment of her. Ms. Malcolm told Ms. Bowman she would "investigate" and speak with Mr. Browning.

66. Ms. Bowman became aware from her team members that Ms. Donofrio and Ms. Malcolm positioned to them that Ms. Bowman was causing issues with Mr. Browning and Mr. Gallagher told them to look into this.

67. On October 2, 2019, during an EMT meeting, Mr. Gallagher again instructed Ms. Bowman to terminate Ms. Takeuchi's employment in front of her colleagues. At the time, her team had already been reduced and no capacity relieved. She inquired if she would be able to replace Ms. Takeuchi, who was responsible for a large portion of the team, and was told "no."

68. On October 21, 2019, Ms. Takeuchi made Ms. Bowman aware that she was going to HR about a number of issues with Mr. Browning, including that he had been repeatedly and frequently stopping by her office, using profanity, and asking her to "take a walk together," which was making her uncomfortable. In an email to HR, Ms. Takeuchi alerted them that she was concerned about retaliation from Mr. Browning as a member of the EMT.

69. In November 2019, Ms. Bowman asked to meet with Ms. Malcolm and Ms. Dinofrio to obtain an update on UWW's investigation of complaints related to Mr. Browning.

70. On November 6, 2019, Ms. Bowman met with Ms. Malcolm and Ms. Dinofrio, who told Ms. Bowman that she and Mr. Browning "shared blame" for their problems. Ms. Malcolm and Ms. Dinofrio offered Ms. Bowman no specifics related to this evaluation or solutions to improve the relationship. Ms. Bowman asked Ms. Malcolm and Ms. Dinofrio to facilitate a conversation between Ms. Bowman and Mr. Browning, but they did not.

Termination of Ms. Bowman's Employment

71. During an EMT meeting on December 5, 2019, Mr. Gallagher stated that he was thinking about hiring a Chief Experience Officer to aggregate all customer-facing work.

72. On December 10, 2019, Ms. Bowman met with Mr. Gallagher and expressed an interest in the role of Chief Experience Officer.

73. On December 16, 2019, Mr. Gallagher informed Ms. Bowman that he had hired Stan Little ("Mr. Little") as Chief Experience Officer and that she would report to Mr. Little instead of Mr. Gallagher.

74. On December 20, 2019, Mr. Gallagher sent an email to the UWW executive team announcing the hiring of Mr. Little.

75. During a meeting on January 9, 2020, Mr. Gallagher terminated Ms. Bowman's employment. Specifically, he told Ms. Bowman, "I don't need you. Stan [Little] will be my top marketing guy now. Get with Lori [Malcolm] and work out the details."

76. Mr. Little did not have a similar background in marketing or communications.

77. The following week, Ms. Bowman was forced to participate in an executive retreat planning, among other things, for the onboarding of Mr. Little. During a break, Suzanne McCormick said to Ms. Bowman, "I can't believe you are sitting her professional and composed, contributing given the fact he fired you." Ms. McCormick then disclosed that the entire team was aware that Ms. Bowman's employment was being terminated, which put Ms. Bowman in an extremely uncomfortable position.

78. Ms. Bowman and Ms. Malcolm agreed that Ms. Bowman's last day with UWW would be February 21, 2020.

79. However, UWW abruptly terminated Ms. Bowman's employment on February 6, 2020 without allowing her to have any role in messaging her departure to her colleagues and clients. They also told her teammates it would be best not to contact her.

Impact on Ms. Bowman

80. The harassment, hostile work environment, and retaliation described above negatively impacted Ms. Bowman and caused her significant emotional and physical harm.

81. Since the termination of her employment with UWW, Ms. Bowman has been unable to obtain comparable employment and has suffered significant financial losses.

82. As a direct and proximate result of UWW's actions, Ms. Bowman has suffered and continues to suffer emotional distress and physical injury. Such injury includes pain, suffering, inconvenience, mental anguish, embarrassment, humiliation, decreased self-esteem, loss of confidence, insomnia, headaches, exhaustion, anxiety, stress, fearfulness, stress and anxiety, loss of enjoyment of life, withdrawal from social interaction, past and future loss of income and benefits of employment, lost career and business opportunities and advancement, other past pecuniary losses, future pecuniary losses, and other non-pecuniary losses.

Equal Employment Opportunity Charge of Discrimination

83. In approximately March 2020, Ms. Bowman timely filed a Charge of Discrimination with the Equal Employment Opportunity Commission ("EEOC") against UWW alleging discrimination based on sex (harassment and hostile work environment) and retaliation under Title VII of the Civil Rights Act and the Equal Pay Act (EEOC Charge No. 410-2020-04545) ("Charge").

84. In March 2024, after over four years of waiting for the EEOC to investigate the Charge, Ms. Bowman requested that the EEOC issue a notice of right to sue since more than 180 days had passed since the filing of the Charge.

85. On March 7, 2024, the EEOC issued a Dismissal and Notice of Rights, which notified Ms. Bowman of her right to sue UWW within 90 days. A true and accurate copy of the right-to-sue letter is attached hereto as **Exhibit 1**.

COUNT I
DISCRIMINATION IN VIOLATION OF TITLE VII, 42 U.S.C. § 2000e
(HARASSMENT AND HOSTILE WORK ENVIRONMENT)

86. The foregoing paragraphs are incorporated herein as if set forth in full.

87. Ms. Bowman was subjected to harassment and a hostile work environment based on her gender while employed by UWW.

88. UWW's acts of harassment include but are not limited to:

a. Mr. Browning addressing Ms. Bowman as "Bowman," "Boss," or "Boss Lady" (even though she was his counterpart and not his supervisor) instead of calling her by her first name, as was the custom at UWW, or Ms. Bowman;

b. Mr. Browning telling meeting participants in June 2018, "I was going to let Lisa present some of this, but she's probably not capable."

c. Mr. Browning making inappropriate comments to Ms. Bowman, such as commenting on her hair, her glasses, her clothing, her appearance, and how her body looked in certain clothing;

d. Mr. Browning visually scanning Ms. Bowman's body;

e. Mr. Browning leering at Ms. Bowman;

f. Mr. Browning behaving in an intimidating matter toward Ms. Bowman; and

g. Mr. Browning inviting Ms. Bowman to stay with him in an Airbnb during a business trip.

89. Male employees were not subjected to the same treatment as Ms. Bowman.

90. Ms. Bowman reported this unlawful conduct to senior leaders at UWW, including Ms. Carpenter (HR Director), Ms. Dinofrio (Vice President of People and Strategies), Ms. Malcolm (Chief Culture Officer/Chief Operating Officer), and Mr. LaChance (Chief of Staff) but UWW took no meaningful action in response.

91. UWW's treatment of Ms. Bowman violated Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-2(a)(1).

92. This conduct by UWW was actuated by malice, spite, and ill-will; was willful and wanton; and evinced conscious disregard for the rights of Ms. Bowman.

93. As a direct and proximate result of UWW's actions, Ms. Bowman has suffered and continues to suffer emotional distress and physical injury. Such injury includes pain, suffering, inconvenience, mental anguish, embarrassment, humiliation, decreased self-esteem, loss of confidence, insomnia, headaches, exhaustion, anxiety, stress, fearfulness, stress and anxiety, loss of enjoyment of life, withdrawal from social interaction, past and future loss of income and benefits of employment, lost career and business opportunities and advancement, other past pecuniary losses, future pecuniary losses, and other non-pecuniary losses.

94. Due to the conscious disregard for Ms. Bowman's federally protected rights, and the severity of UWW's conduct, Ms. Bowman is also entitled to punitive damages.

WHEREFORE, Ms. Bowman respectfully requests that the Court enter judgment in favor of Ms. Bowman and against UWW in an amount to be proven at trial, but not less than

\$12,000,000, plus \$300,000 in punitive damages, costs, interest, and reasonable attorneys' fees, and grant such other and further relief as the Court deems proper.

COUNT II
RETALIATION IN VIOLATION OF TITLE VII, 42 U.S.C. § 2000e

95. The foregoing paragraphs are incorporated herein as if set forth in full.

96. Ms. Bowman engaged in protected activity in making complaints to UWW about Mr. Browning's treatment of her and other female employees, including but not limited to the following:

a. During the summer of 2018, Ms. Bowman reported to Ms. Carpenter that Mr. Browning was making her feel uncomfortable;

b. In October 2018, Ms. Bowman spoke with Ms. Malcolm about the issues she was experiencing with Mr. Browning;

c. On October 26, 2018, Ms. Bowman met with Ms. Malcolm with the stated purpose of discussing issues with Mr. Browning;

d. In her 2018 self-evaluation, which Mr. Gallagher reviewed when he conducted Ms. Bowman's review, Ms. Bowman specifically referenced Mr. Browning's harassment and bullying;

e. In February 2019, in compliance with UWW's policy requiring supervisors to "immediately report any incident of potentially harassing, discriminatory, or retaliatory conduct of which they become aware," Ms. Bowman reported to Ms. Dinofrio that Ms. Wray and Ms. Escalera had complained to her about Mr. Browning's conduct;

f. On February 27, 2019, Ms. Bowman reported to Ms. Dinofrio that Mr. Browning had leered at her and commented about how her skirt fit her body;

g. On April 9, 2019, Ms. Bowman told Ms. Malcolm that she felt that she was being targeted as a result of raising concerns about Mr. Browning's behavior; and

h. In October 2019, Ms. Bowman told Ms. Malcolm that she was experiencing significant anxiety and stress resulting from Mr. Browning's harassment of her;

97. Upon information and belief, Mr. Gallagher and Mr. Browning were both aware of Ms. Bowman's complaints about Mr. Browning.

98. Ms. Bowman was subjected to a continuing course of retaliation for her complaints about the treatment to which she was subjected.

99. UWW's acts of retaliation include but are not limited to:

a. Starting in March 2019, Mr. Gallagher removed resources from Ms. Bowman's team, allocated those resources to Mr. Browning without reducing the duties and responsibilities of Ms. Bowman and her team, and did not allow Ms. Bowman to replace resources even though Mr. Browning and other executive team members were permitted to fill open positions;

b. Starting in March 2019, Mr. Gallagher curtailed Ms. Bowman's access to and visibility with the UWW Board of Directors;

d. On March 15, 2019, Mr. Gallagher informed Ms. Bowman that he was moving the digital marketing team that previously reported to her Ms. Bowman to Mr. Browning;

c. On April 4, 2019, Mr. Gallagher gave Ms. Bowman her 2018 performance review, which included a lower rating than prior reviews; and

d. UWW terminated Ms. Bowman's employment effective February 6, 2020.

100. UWW's retaliation is in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e, *et seq.*

101. This conduct by UWW was actuated by malice, spite, and ill-will; was willful and wanton; and evinced conscious disregard for the rights of Ms. Bowman.

102. As a direct and proximate result of UWW's actions, Ms. Bowman has suffered and continues to suffer emotional distress and physical injury. Such injury includes pain, suffering, inconvenience, mental anguish, embarrassment, humiliation, decreased self-esteem, loss of confidence, insomnia, headaches, exhaustion, anxiety, stress, fearfulness, stress and anxiety, loss of enjoyment of life, withdrawal from social interaction, past and future loss of income and benefits of employment, lost career and business opportunities and advancement, other past pecuniary losses, future pecuniary losses, and other non-pecuniary losses.

103. Due to the severity of UWW's conduct, Ms. Bowman is also entitled to punitive damages.

WHEREFORE, Ms. Bowman respectfully requests that the Court enter judgment in favor of Ms. Bowman and against UWW in an amount to be proven at trial, but not less than \$12,000,000, plus \$300,000 in punitive damages, costs, interest, and reasonable attorneys' fees, and grant such other and further relief as the Court deems proper.

Respectfully submitted by:

/s/ Maureen E. Carr

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DEMAND FOR JURY TRIAL

Ms. Bowman hereby demands a trial by jury on all issues so triable pursuant to Virginia Supreme Court Rule 3:21.

/s/ Maureen E. Carr

Maureen E. Carr