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Jane Roe One

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ORANGE – CENTRAL JUSTICE CENTER

Assigned for All Purposes

Judge David A. Hoffer

Case No.: 30-2022-01252436-CU-OE-CJC

JANE ROE ONE, an individual,

Plaintiff,

vs.

COUNTY OF ORANGE, a public entity;
and DOES 1-50, inclusive,

Defendants.

**PLAINTIFF'S COMPLAINT FOR
DAMAGES FOR:**

- 1. HARASSMENT IN VIOLATION OF
THE FEHA;**
- 2. DISCRIMINATION IN VIOLATION
OF THE FEHA**
- 3. RETALIATION IN VIOLATION OF
THE FEHA; and**
- 4. FAILURE TO INVESTIGATE AND
PREVENT IN VIOLATION OF THE
FEHA.**

DEMAND FOR JURY TRIAL

Plaintiff, JANE ROE ONE, hereby brings her employment complaint, demanding a trial
by jury, against the above-named Defendants and states and alleges as follows:

1 **SUMMARY OF THIS CASE**

2 This is a harassment, discrimination, and retaliation case. The plaintiff is a district
3 attorney with the Orange County District Attorney's Office ("OCDA"). She's not a politician.
4 She's a hardworking employee, dedicated to protecting the citizens of Orange County.

5 The Orange County Board of Supervisors is the governing body of the defendant, County
6 of Orange. The Board is solely responsible for overseeing the management of all County
7 departments, including the OCDA. The five members who make up the Board are all elected
8 politicians.

9 Todd Spitzer was elected Orange County District Attorney in 2018. Previously, Mr.
10 Spitzer was on the Board of Supervisors. He recently told OCDA employees that because of his
11 prior tenure on the Board, he has a close personal relationship with, and "*access*" to, all current
12 Board members, intimating he can influence how they vote and how they govern.

13 Plaintiff is informed that during Mr. Spitzer's time on the Board of Supervisors, he made
14 harassing comments about females in the OCDA. One career prosecutor targeted by Mr. Spitzer
15 succinctly described him as having "*no respect for women.*" In fact, Plaintiff is informed that
16 The Orange County Attorneys Association – the union for all County attorneys – sent a "cease
17 and desist" letter the Board to try and get them to curtail Mr. Spitzer's abusive conduct.

18 Upon being put in power as District Attorney, Mr. Spitzer began giving preferential
19 treatment to his friends and allies in the OCDA. One of those individuals was Gary LoGalbo,
20 Mr. Spitzer's "*best friend*" of 25 years. Despite warnings from OCDA managers, and despite
21 having much more qualified candidates, Mr. Spitzer promoted Mr. LoGalbo into management
22 positions three times in one year, ultimately placing him in charge of all branch court operations.

23 By all accounts, this was a disastrous decision, but with predictable results for someone
24 who had earned the nickname "*Scary Gary*" during his time with the OCDA. Feeling invincible
25 after being rapidly promoted, and believing he was protected by Mr. Spitzer (his former
26 roommate), Mr. LoGalbo began subjecting numerous female employees, including Plaintiff, to
27 sexually harassing conduct. One egregious example with Plaintiff occurred when Mr. LoGalbo
28 grabbed Plaintiff's hair from behind and flipped it up and down like it a horse's reins.

1 Mr. Spitzer has taken no responsibility for putting Mr. LoGalbo into a position of power
2 and has pled ignorance of Mr. LoGalbo's prior harassing conduct. That Mr. Spitzer now denies
3 knowing Mr. LoGalbo – the best man in Mr. Spitzer's wedding, who told Plaintiff that he had a
4 "seat in H.R. with [his] name on it" – was a danger to those he supervised is suspect. Not only
5 did Mr. Spitzer admit to OCDA managers that he knew Mr. LoGalbo was a "*pervert*" in his
6 personal life, but Mr. LoGalbo has unabashedly acknowledged in a text, "*I am who I am. TODD*
7 *knew that going in.*" Mr. LoGalbo further boasted that he was "*not going to change.*"

8 Because of Mr. Spitzer's choices, Mr. LoGalbo was given unfettered access to harass
9 OCDA employees for more than a year. Finally, in late 2020, the Board of Supervisors
10 succumbed to pressure by The Orange County Attorneys Association and hired a third-party
11 investigator to investigate Mr. LoGalbo's workplace conduct.

12 The investigator interviewed Plaintiff and detailed her experience in a 150 plus page
13 "CONFIDENTIAL INVESTIGATION REPORT." The investigator ultimately concluded that
14 Plaintiff, and other females in the OCDA, were unlawfully harassed and discriminated against by
15 Mr. LoGalbo.

16 Despite this, Mr. LoGalbo was allowed to retire. At the same time, some politically
17 motivated OCDA managers began minimizing the impact of his misconduct to protect the
18 elected District Attorney. For instance, Shawn Nelson, Mr. Spitzer's second-in-command,
19 declared to managers, in front of Mr. Spitzer, that "*Gary doesn't have any real victims.*" Mr.
20 Nelson also referred to Mr. LoGalbo's female victims as "*chicken*" for not coming forward
21 earlier, even though everyone knew of Mr. Spitzer's close relationship with Mr. LoGalbo.

22 As for Mr. Spitzer, he has accused Mr. LoGalbo's victims of being "*dishonest.*" He also
23 chastised the employees who confirmed Mr. LoGalbo's unlawful conduct. He told one manager,
24 "*Take your little notes about me that end up in reports.*"

25 The situation got worse on Friday, May 7, 2021 – the day before Mother's Day weekend
26 – when a copy of the Confidential Investigation Report was disseminated by Mr. Spitzer without
27 any warning or notice. Plaintiff was shocked, humiliated, and concerned that the report was
28 released in retaliation for participating in the investigation into Mr. LoGalbo. This concern has

1 now been confirmed by Mr. Spitzer, who admitted the dissemination of the report “*absolutely*”
2 had a “*chilling effect*” on future victims of harassment.

3 Therefore, on May 24, 2021, Plaintiff made a complaint of retaliation. In response, the
4 Board of Supervisors conducted another independent investigation.

5 Not surprisingly, the investigator concluded that Mr. Spitzer “*flagrantly*” violated County
6 EEO and Abusive Conduct policies and acted with “*malice*” towards Plaintiff and the other
7 victims of Mr. LoGalbo, which created a hostile and offensive work environment, and “*caused*
8 *unjustified embarrassment and indignity to [Plaintiff]*.”

9 In short, on two occasions, an independent investigator confirmed that female prosecutors
10 were subjected to flagrant violations of County policies by the men at the very top of the OCDA.
11 Despite this fact, as well as the Board of Supervisors’ prior knowledge of Mr. Spitzer’s abusive
12 conduct towards women while he was on the Board, the Board has not taken a single corrective
13 or preventative action towards Mr. Spitzer, their former colleague. The Board’s inaction has sent
14 a clear message to Plaintiff, to County employees, and to all citizens of Orange County that
15 harassment, discrimination, and retaliation when engaged in by politically well-connected men
16 will be tolerated by the current members of the Board of Supervisors.

17 The Board’s inaction also has real work consequences to the employees in the OCDA.
18 Some managers within OCDA, who now believe there are no consequences for their workplace
19 behavior, have felt emboldened to publicly accuse Mr. LoGalbo’s victims of lying about their
20 experiences, despite the clear findings of a third-party investigator. In fact, employees who have
21 spoken out against Mr. LoGalbo’s victims are being treated more favorably by Mr. Spitzer and
22 are being awarded for shaming innocent victims of sexual harassment.

23 Quite simply, the Board should have done more and should do more. It’s apparent they
24 won’t. Therefore, Plaintiff must file this lawsuit to protect herself and other women who have
25 bravely come forward, and to do what the Board should have done all along – ensure retaliation
26 is not tolerated by *anyone* in the County.

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THE PARTIES

1. Defendant COUNTY OF ORANGE is a California public governmental entity. One of the departments that make up Defendant COUNTY OF ORANGE's government is the OCDA.

2. At all times mentioned herein, Plaintiff, JANE ROE ONE, was an individual and a resident of the State of California. At all times, Plaintiff was an employee of Defendant COUNTY OF ORANGE. Because Plaintiff is a victim of a sexual harassment of a sensitive and personal nature, her identity is protected in this public filing. In fact, Defendant labeled Plaintiff as "JANE ROE ONE" during the prelitigation claims process to protect her identity.

3. Plaintiff is unaware of the true names and capacities of Defendants sued herein as DOES 1 through 50, inclusive, and for that reason sues said Defendants by such fictitious names. Each of the Defendants designated herein as a DOE is negligently, intentionally, or otherwise legally responsible in some manner for the events and happenings herein referred to and caused injuries and damages proximately thereby to the Plaintiff, as herein alleged. Plaintiff will file and serve one or more amendments to this complaint upon learning the true names and capacities of said Defendants.

4. Plaintiff is informed and believes that each of the fictitiously named Defendants is responsible in some manner for, and proximately caused, the injuries and damages to Plaintiff hereinafter alleged.

5. Plaintiff is informed and believes, and based thereon alleges, that each of the Defendants named herein acted as the employee, agent, servant, partner, alter-ego and/or joint ventures of one or more of the other Defendants named herein. In doing the acts and/or omissions alleged herein, each of said Defendants acted within the course and scope of his or her relationship with any other Defendant; and gave and received full consent, permission and ratification to the acts and/or omissions alleged herein.

6. Hereinafter in this Complaint, unless otherwise noted, reference to a Defendant shall mean all Defendants, and each of them.

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1 **JURISDICTION AND VENUE**

2 7. Jurisdiction in this Court is proper since the acts and omissions complained of
3 occurred in the State of California. The amount in controversy exceeds the jurisdictional
4 minimum of this Court.

5 8. Venue is proper in the County of Orange because the events giving rise to these
6 claims transpired in the County of Orange, at OCDA, including at 300 North Flower Street,
7 Santa Ana, California 92703.

8 **THE FACTUAL ALLEGATIONS**

9 9. Plaintiff has been employed by Defendant, with the OCDA, since in or around
10 August 2019.

11 10. At all times mentioned herein, and at the time each of Plaintiff's causes of action
12 arose, Mr. LoGalbo was an employee of Defendant and was a "supervisor." In fact, Mr. LoGalbo
13 was Plaintiff's "supervisor" from the date she was hired until in or around December 2020.

14 11. During the vast majority of the time Plaintiff worked under Mr. LoGalbo, Plaintiff
15 was considered a "probationary" employee. She had no idea about Mr. LoGalbo's history of
16 harassing conduct during his time with the OCDA.

17 **Plaintiff Was Subjected to a Hostile Work Environment**

18 12. While working under Mr. LoGalbo's supervision, Plaintiff's office was directly next
19 to his. During this time, Plaintiff was exposed to inappropriate sexually and/or racially harassing
20 comments daily, all of which created a hostile and offensive work environment. Some examples:

- 21 a. Mr. LoGalbo often commented on whether female attorneys, judges, and crime
22 victims were "*hot*," "*looking sexy*" or "*attractive*," in addition to numerous
23 other crude, crass, and inappropriate sexual comments and innuendos;
24 b. Mr. LoGalbo referred to female attorneys and judges as "*pu**ies*," "*cu**s*" or
25 "*bi**s*," who needed to get "*laid*."
26 c. During the first week Plaintiff was with the OCDA, Mr. LoGalbo was on a fishing
27 trip and when he returned, he asked Plaintiff: "*Did you miss me?*" At first,
28 Plaintiff thought he was joking or being sarcastic, so she chuckled uncomfortably.

- 1 He then repeated the question and appeared to be serious. Plaintiff said “no”;
- 2 d. After the COVID pandemic began and court appearances were required to be
- 3 remote, Mr. LoGalbo made a comment about starting up a “*Pornhub*” website
- 4 with the camera. He also lifted up his shirt at one point to expose his torso to
- 5 Plaintiff in a “*Girls Gone Wild*” fashion;
- 6 e. Mr. LoGalbo asked Plaintiff if she and her husband had sex in the office after they
- 7 had lunch together;
- 8 f. Mr. LoGalbo shared inappropriate videos with Plaintiff. One video, after the
- 9 COVID pandemic broke out, showed a number of naked Asian couples in military
- 10 formation having sexual intercourse, with the title of the video being: “*China*
- 11 *Restocking The Shelves*.” He also texted her a *YouTube* video of a woman reading
- 12 a children’s book titled “*Brenda’s Beaver Needs A Barber*.”

13 13. Mr. LoGalbo also physically touched Plaintiff in an unwanted manner by coming up

14 from behind her and flipping her hair, which was in a ponytail, up and down like a horse’s reins.

15 14. In addition to this sexual harassment, Plaintiff also heard racially harassing

16 comments at the OCDA. For instance, Plaintiff witnessed Mr. LoGalbo spout racist remarks,

17 including calling employees’ “*terrorists*” because of race. Plaintiff was also present when Mr.

18 Spitzer would discuss a district attorney’s race when deciding what cases to assign to them.

19 **Plaintiff Was Retaliated Against**

20 15. After allegations began being made against Mr. LoGalbo by women in the OCDA,

21 Mr. Spitzer and some other men in management were quick to dismiss Plaintiff and other

22 victims. For instance, Mr. Nelson declared to at least two executive managers, in front of Mr.

23 Spitzer, that “*Gary doesn’t have any real victims*.” Mr. Nelson also called Mr. LoGalbo’s female

24 victims’ “*chicken*” for not coming forward earlier, even though he knows everyone knew of Mr.

25 Spitzer’s close personal relationship with Mr. LoGalbo. Mr. Spitzer, himself, accused Mr.

26 LoGalbo’s victims of being “*dishonest*” and tried to have one of them written-up. He chastised

27 and was dismissive of other employees for their role in the investigation, telling them, “*You take*

28 *your little notes about me that end up in reports*.”

1 16. On or about December 15, 2020, Mr. Nelson sent an email to all attorneys within the
2 OCDA: “*After more than 30 years of public service, Senior Assistant District Attorney Gary*
3 *LoGalbo has elected to retire.*” Mr. Nelson did not mention the reason why.

4 17. A few weeks later, on or about December 28, 2020, Defendant chartered an
5 independent investigation into allegations against Mr. LoGalbo.

6 18. At the beginning of her investigative interview, Plaintiff was told that “[t]he County
7 *[was] ordering [them] to discuss this matter with the County appointed investigator*” and warned
8 that her “[f]ailure to fully cooperate in [the] investigation, or providing less than completely
9 truthful answers, will be deemed insubordination and may result in administrative discipline, up
10 to and including termination of [their] employment with the County of Orange.

11 19. During her interview, Plaintiff was assured by the County that her statement would
12 be confidential. That was important to her as she was not only disclosing personal and sensitive
13 information, but also reporting illegal conduct by a Senior Assistant District Attorney, her former
14 supervisor, and the close friend of the District Attorney. The promise of confidentiality is also
15 consistent with the County’s proclamation in its “Anti-Harassment Policy and Procedure” that
16 complaints be “*kept as confidential as possible.*”

17 20. Ultimately, the confidential investigative report found that “[b]ased upon a
18 *preponderance of the evidence, the allegation that LoGalbo engaged in a pattern of sexual and*
19 *gender harassment against multiple female employees who he directly supervised at the OCDA*
20 *is sustained.*” The investigator further concluded that “[t]he preponderance of the evidence
21 *supports that LoGalbo’s actions also constituted a hostile work environment for the women and*
22 *men who worked under his supervision at North Court. Under the Policy, a hostile work*
23 *environment exists when harassing conduct is severe or pervasive enough to alter the conditions*
24 *of employment so as to create an abusive working environment.*”

25 21. Plaintiff was hopeful she could return to a work environment free from harassment,
26 discrimination, and retaliation following the investigation. However, on or about Friday, May 7,
27 2021, the day before Mother’s Day weekend, a copy of the “Confidential Investigation Report”
28 was disseminated by Mr. Spitzer to all OCDA employees without notice or warning. Plaintiff

1 was immediately mocked by colleagues, and other, about her experiences with Mr. LoGalbo.

2 22. Therefore, on May 24, 2021, Plaintiff, who had not yet come forward with a claim
3 against Defendant, requested an investigation into the release of the report. In response,
4 Defendant undertook another third-party investigation.

5 23. The second investigation concluded on or about August 2, 2021. Five months later,
6 the investigation findings were finally made available to Plaintiff. The investigator concluded
7 that Mr. Spitzer “*flagrantly*” violated the County’s EEO and Abusive Conduct policies and acted
8 with “*malice*” towards Plaintiff and the other victims of Mr. LoGalbo, which created a hostile
9 and offensive work environment for Mr. LoGalbo’s victims, including Plaintiff and “*caused*
10 *unjustified embarrassment and indignity to [the district attorneys].*” Mr. Spitzer, himself,
11 admitted the release of the report will create a “*chilling effect*” on future victims of harassment
12 within the OCDA.

13 24. Despite this fact, the Board has taken no corrective or preventative action. The
14 Board’s inaction empowered some politically motivated OCDA managers to begin minimizing
15 the impact of Mr. LoGalbo’s misconduct in retaliation for Plaintiff’s participation in the
16 County’s investigations. These people have been rewarded by Mr. Spitzer with preferential
17 treatment, including promotions. Undoubtably, this has undermined Plaintiff’s job performance
18 and ability for advancement within the OCDA.

19 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

20 25. Plaintiff filed a complaint against Defendant with the Department of Fair
21 Employment and Housing (“DFEH”) on July 19, 2021, and again on March 24, 2022. The DFEH
22 issued Plaintiff a “Right-to-Sue” letter those same days. This Complaint is timely filed pursuant
23 to those letters.

24 **FIRST CAUSE OF ACTION**

25 **HARASSMENT IN VIOLATION OF THE FEHA**

26 **(Against ALL Defendants)**

27 26. Plaintiff restates and incorporates by this reference as if fully set forth herein
28 paragraphs 1 through 25 of this Complaint.

1 27. At all times herein mentioned, California Government Code § 12940 et seq., the Fair
2 Employment and Housing Act (“FEHA”), was in full force and effect and was binding on
3 Defendants, as Defendants regularly employed five or more persons.

4 28. California Government Code § 12940(a) requires Defendants to refrain from
5 harassing an employee based on an individual’s protected class, including sex, gender, race etc.

6 29. Defendant engaged in unlawful employment practices in violation of the FEHA by
7 harassing Plaintiff because of sex and/or gender and/or race.

8 30. As a proximate result of the aforesaid acts of Defendants, Plaintiff has suffered
9 actual, consequential, and incidental financial losses, including without limitation, loss of salary
10 and benefits, and the intangible loss of employment related opportunities in her field and damage
11 to her professional reputation, all in an amount subject to proof at the time of trial. Plaintiff
12 claims such amounts as damages pursuant to California Civil Code § 3287 and/or § 3288 and/or
13 any other provision of law providing for prejudgment interest.

14 31. As a proximate result of the wrongful acts of Defendants, Plaintiff has suffered and
15 continues to suffer emotional distress, humiliation, mental anguish and embarrassment, as well
16 as the manifestation of physical symptoms. Plaintiff is informed and believes, and thereupon
17 alleges, that she will continue to experience said physical and emotional suffering for a period in
18 the future not presently ascertainable, all in an amount subject to proof at the time of trial.

19 32. As a proximate result of the wrongful acts of Defendants, Plaintiff has been forced
20 to hire attorneys to prosecute her claims herein and has incurred and is expected to continue to
21 incur attorneys’ fees and costs in connection therewith. Plaintiff is entitled to recover attorneys’
22 fees and costs under California Government Code § 12965(b).

23 **SECOND CAUSE OF ACTION**

24 **DISCRIMINATION IN VIOLATION OF THE FEHA**

25 **(Against ALL Defendants)**

26 33. Plaintiff restates and incorporates by this reference as if fully set forth herein
27 paragraphs 1 through 32 of this Complaint.

28 34. At all times herein mentioned, California Government Code § 12940 et seq., the Fair

1 Employment and Housing Act (“FEHA”), was in full force and effect and was binding on
2 Defendants, as Defendants regularly employed five or more persons.

3 35. California Government Code § 12940(a) requires Defendants to refrain from
4 discriminating against an employee based on an individual’s protected class, including sex,
5 gender etc.

6 36. Defendant engaged in unlawful employment practices in violation of the FEHA by
7 discriminating against Plaintiff because of sex and/or gender.

8 37. As a proximate result of the aforesaid acts of Defendants, Plaintiff has suffered
9 actual, consequential and incidental financial losses, including without limitation, loss of salary
10 and benefits, and the intangible loss of employment related opportunities in her field and damage
11 to her professional reputation, all in an amount subject to proof at the time of trial. Plaintiff
12 claims such amounts as damages pursuant to California Civil Code § 3287 and/or § 3288 and/or
13 any other provision of law providing for prejudgment interest.

14 38. As a proximate result of the wrongful acts of Defendants, Plaintiff has suffered and
15 continues to suffer emotional distress, humiliation, mental anguish and embarrassment, as well
16 as the manifestation of physical symptoms. Plaintiff is informed and believes, and thereupon
17 alleges, that she will continue to experience said physical and emotional suffering for a period in
18 the future not presently ascertainable, all in an amount subject to proof at the time of trial.

19 39. As a proximate result of the wrongful acts of Defendants, Plaintiff has been forced
20 to hire attorneys to prosecute her claims herein and has incurred and is expected to continue to
21 incur attorneys’ fees and costs in connection therewith. Plaintiff is entitled to recover attorneys’
22 fees and costs under California Government Code § 12965(b).

23 **THIRD CAUSE OF ACTION**

24 **RETALIATION IN VIOLATION OF THE FEHA**

25 **(Against ALL Defendants)**

26 40. Plaintiff restates and incorporates by this reference as if fully set forth herein
27 paragraphs 1 through 39 of this Complaint.

28 41. At all times herein mentioned, the FEHA was in full force and effect and were

1 binding on Defendants, as Defendant regularly employed five or more persons. The FEHA
2 makes it unlawful for any person to retaliate against an employee who has opposed a
3 discriminatory practice and who asserts their rights under the FEHA.

4 42. Defendants' conduct in 1) commenting that Plaintiff was not a "real" victim of Mr.
5 LoGalbo, despite the findings of a third-party investigator; 2) accusing Plaintiff of being
6 dishonest in the investigation, impugning her honesty and integrity, which she needs to
7 effectively do her job; 3) chastising employees for participating in the investigation; and 4)
8 awarding employees who speak out against Plaintiff, are all retaliatory acts that have adversely
9 affected the terms, conditions and/or privileges of Plaintiff's employment, and which have
10 undermined Plaintiff's ability to effectively do her job and jeopardized her ability for
11 advancement within the OCDA.

12 43. As a proximate result of the aforesaid acts of Defendants, Plaintiff has suffered
13 actual, consequential and incidental financial losses, including without limitation, loss of salary
14 and benefits, and the intangible loss of employment related opportunities in her field and damage
15 to her professional reputation, all in an amount subject to proof at the time of trial. Plaintiff
16 claims such amounts as damages pursuant to California Government Code § 3287 and/or § 3288
17 and/or any other provision of law providing for prejudgment interest.

18 44. As a proximate result of the wrongful acts of Defendants, Plaintiff has suffered and
19 continues to suffer emotional distress, humiliation, mental anguish and embarrassment, as well
20 as the manifestation of physical symptoms. Plaintiff is informed and believes and thereupon
21 alleges that she will continue to experience said physical and emotional suffering for a period in
22 the future not presently ascertainable, all in an amount subject to proof at the time of trial.

23 45. As a proximate result of the wrongful acts of Defendants, Plaintiff has been forced
24 to hire attorneys to prosecute his claims herein and has incurred and is expected to continue to
25 incur attorneys' fees and costs in connection therewith. Plaintiff is entitled to recover attorneys'
26 fees and costs under California Government Code § 12965(b).

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1 **FOURTH CAUSE OF ACTION**

2 **FAILURE TO INVESTIGATE AND PREVENT IN VIOLATION OF THE FEHA**
3 **(Against ALL Defendants)**

4 46. Plaintiff restates and incorporates by this reference as if fully set forth herein
5 paragraphs 1 through 45 of this Complaint.

6 47. At all times mentioned herein, California Government Code Sections 12940, et seq.,
7 including but not limited to Sections 12940 (j) and (k), were in full force and effect and were
8 binding upon Defendants and each of them. These sections impose on an employer a duty to
9 take immediate and appropriate corrective action to end harassment, discrimination, and
10 retaliation and take all reasonable steps necessary to prevent harassment, discrimination, and
11 retaliation from occurring.

12 48. Defendants failed to take immediate and appropriate corrective action to end the
13 harassment, discrimination, and retaliation. FEHA renders it an unlawful act for employers to
14 fail to take all reasonable steps to protect their employees from harassment, discrimination, and
15 retaliation.

16 49. In failing and/or refusing to take immediate and appropriate corrective action to end
17 the discrimination, harassment, and retaliation, and in failing and/or refusing to take and or all
18 reasonable steps necessary to prevent discrimination, harassment and retaliation from occurring,
19 Defendants violated California Government Code § 12940 (j) and (k), causing Plaintiff to suffer
20 damages as set forth above.

21 50. As a proximate result of the aforesaid acts of Defendants, and each of them, Plaintiff
22 has suffered actual, consequential and incidental financial losses, including without limitation,
23 loss of salary and benefits, and the intangible loss of employment related opportunities in her
24 field and damage to her professional reputation, all in an amount subject to proof at the time of
25 trial. Plaintiff claims such amounts as damages pursuant to Civil Code § 3287 and/or § 3288
26 and/or any other provision of law providing for prejudgment interest.

27 51. As a proximate result of the wrongful acts of Defendants, and each of them, Plaintiff
28 has suffered and continues to suffer emotional distress, humiliation, mental anguish and

1 embarrassment, as well as the manifestation of physical symptoms. Plaintiff is informed and
2 believes and thereupon alleges that she will continue to experience said physical and emotional
3 suffering for a period in the future not presently ascertainable, all in an amount subject to proof
4 at the time of trial.

5 52. As a proximate result of the wrongful acts of Defendants, Plaintiff has been forced
6 to hire attorneys to prosecute her claims herein and has incurred and is expected to continue to
7 incur attorneys' fees and costs in connection therewith. Plaintiff is entitled to recover attorneys'
8 fees and costs under California Government Code § 12965(b).

9
10 **PRAYER FOR RELIEF**

11 **WHEREFORE, Plaintiff prays for judgment as follows:**

- 12 1. For general damages in an amount within the jurisdictional limits of this Court;
13 2. For special damages, according to proof;
14 3. For medical expenses and related items of expense, according to proof;
15 4. For loss of earnings, according to proof;
16 5. For attorneys' fees, according to proof;
17 6. For prejudgment interest, according to proof;
18 7. For costs of suit incurred herein;
19 8. For declaratory relief;
20 9. For injunctive relief; and
21 10. For such other relief and the Court may deem just and proper.

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DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury

DATED: March 24, 2022

BROCK & GONZALES, LLP

By: 
D. AARON BROCK
Attorneys for Plaintiff