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Jane Roe Two

SUPERIOR COURT OF THE STATE OF CALIFORNIA

West K.T.
COUNTY OF ORANGE – CENTRAL JUSTICE CENTER

Assigned for All Purposes

Judge Nathan Scott

Case No.: 30-2022-01252445-CU-OE-WJC

JANE ROE TWO, 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 TWO, 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 a seemingly
28 intoxicated Mr. LoGalbo would call Plaintiff late at night and ask what she was wearing.

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 he was a
4 "**walking H.R. violation**" – was a danger to those he supervised is suspect. Not only did Mr.
5 Spitzer tell OCDA employees that he knew Mr. LoGalbo was a "**pervert**" in his personal life, but
6 Mr. LoGalbo has unabashedly acknowledged in a text, "**I am who I am. TODD knew that going**
7 **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 countless other County employees, and to all citizens of the
15 Orange County that harassment, discrimination, and retaliation when engaged in by politically
16 well-connected men 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 now being treated more favorably by Mr. Spitzer
22 and 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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1 **THE PARTIES**

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

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

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

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

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

26 6. Hereinafter in this Complaint, unless otherwise noted, reference to a Defendant shall
27 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 April
10 2016.

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 Plaintiff's "supervisor," beginning
13 in or around April 2019.

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

15 11. While working under Mr. LoGalbo's supervision, her office was directly next to his.
16 During this time, she was exposed to inappropriate sexually harassing comments on a daily basis,
17 all of which created a hostile and offensive work environment. Some examples:

- 18 a. Mr. LoGalbo leered at Plaintiff's body, looking her up and down daily and
19 consistently, to the point where coworkers would notice;
- 20 b. Mr. LoGalbo constantly commented on Plaintiff's clothing, including telling
21 Plaintiff he knew the color of her underwear and telling her he was imagining
22 what type of underwear she was wearing;
- 23 c. Mr. LoGalbo told Plaintiff that he dreamt of her and that she was naked in his
24 dreams;
- 25 d. Mr. LoGalbo questioned what Plaintiff did at night, and if she got "*into any*
26 *trouble*" or if "*there is anything [she] needed to tell [him];*"
- 27 e. Almost everytime Plaintiff's office door was shut, Mr. LoGalbo would bust in,
28 telling Plaintiff he hoped to catch her undressing; and

1 f. Ms. LoGalbo called Plaintiff late at night, to ask her what she was wearing and
2 where she was in her house.

3 12. Mr. LoGalbo knew his conduct was unwelcome, yet he was undeterred. For
4 instance, when Plaintiff had to go into Mr. LoGalbo’s office, she would try to stay far away from
5 him. Mr. LoGalbo would notice and say, “*You know, you, you don't have to stand back there.*
6 *You, are you afraid? I'm not going to just bend you over that chair and take you from behind,*” or
7 “*I'm not going to bite unless you ask me to.*”

8 13. Plaintiff felt trapped. Not only was Mr. LoGalbo Plaintiff’s supervisor but she also
9 knew he was “*best friends*” with Mr. Spitzer. On at least one occasion, she talked to one of
10 mentors in the OCDA, who told her not to complain to Human Resources, calling it “*career*
11 *suicide.*”

12 **Plaintiff Was Retaliated Against**

13 14. After allegations began being made against Mr. LoGalbo by women in the OCDA,
14 Mr. Spitzer and some other men in management were quick to dismiss Plaintiff and other
15 victims. For instance, Mr. Nelson declared to at least two executive managers, in front of Mr.
16 Spitzer, that “*Gary doesn't have any real victims.*” Mr. Nelson also called Mr. LoGalbo’s female
17 victims’ “*chicken*” for not coming forward earlier, even though he knows everyone knew of Mr.
18 Spitzer’s close personal relationship with Mr. LoGalbo. Mr. Spitzer, himself, accused Mr.
19 LoGalbo’s victims of being “*dishonest*” and tried to have one of them written-up. He chastised
20 and was dismissive of other employees for their role in the investigation, telling them, “*You take*
21 *your little notes about me that end up in reports.*”

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

25 16. A few weeks later, on or about December 28, 2020, Defendant chartered the
26 independent investigation into allegations against Mr. LoGalbo.

27 17. At the beginning of her investigative interview, Plaintiff was told that “[*t*]he County
28 [*was*] ordering [*them*] to discuss this matter with the County appointed investigator” and warned

1 that her “[f]ailure to fully cooperate in [the] investigation, or providing less than completely
2 truthful answers, will be deemed insubordination and may result in administrative discipline, up
3 to and including termination of [their] employment with the County of Orange.

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

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

18 20. Plaintiff was hopeful she could return to a work environment free from harassment,
19 discrimination, and retaliation. However, on or about Friday, May 7, 2021, the day before
20 Mother’s Day weekend, a copy of the “Confidential Investigation Report” was disseminated by
21 Mr. Spitzer’s spokeswoman, without notice or warning, to all OCDA employees. Since then,
22 Plaintiff has been mocked by colleagues about what she experienced with Mr. LoGalbo. For
23 instance, a few days after the report was released, some unknown co-workers had a package of
24 suggestive lollipops, with a card that stated, “xoxo, Love Gary.” When Plaintiff shared the
25 encounter with other colleagues, OCDA H.R. became aware. That led to interviews and
26 discussions with Plaintiff’s supervisor, which only led to further retaliation, where Plaintiff’s
27 team made snide remarks about making sure that everyone acts “appropriate” so that the team
28 “doesn’t have to deal with HR.”

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

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

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

18 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

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

23 **FIRST CAUSE OF ACTION**

24 **HARASSMENT IN VIOLATION OF THE FEHA**

25 **(Against ALL Defendants)**

26 25. Plaintiff restates and incorporates by this reference as if fully set forth herein
27 paragraphs 1 through 24 of this Complaint.

28 26. 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 27. California Government Code § 12940(a) requires Defendants to refrain from
4 harassing an employee based on an individual’s protected class, including sex, gender, race etc.

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

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

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

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

22 **SECOND CAUSE OF ACTION**

23 **DISCRIMINATION IN VIOLATION OF THE FEHA**

24 **(Against ALL Defendants)**

25 32. Plaintiff restates and incorporates by this reference as if fully set forth herein
26 paragraphs 1 through 31 of this Complaint.

27 33. At all times herein mentioned, California Government Code § 12940 et seq., the Fair
28 Employment and Housing Act (“FEHA”), was in full force and effect and was binding on

1 Defendants, as Defendants regularly employed five or more persons.

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

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

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

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

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

22 **THIRD CAUSE OF ACTION**

23 **RETALIATION IN VIOLATION OF THE FEHA**

24 **(Against ALL Defendants)**

25 39. Plaintiff restates and incorporates by this reference as if fully set forth herein
26 paragraphs 1 through 38 of this Complaint.

27 40. At all times herein mentioned, the FEHA was in full force and effect and were
28 binding on Defendants, as Defendant regularly employed five or more persons. The FEHA

1 makes it unlawful for any person to retaliate against an employee who has opposed a
2 discriminatory practice and who asserts their rights under the FEHA.

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

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

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

22 44. As a proximate result of the wrongful acts of Defendants, Plaintiff has been forced
23 to hire attorneys to prosecute his claims herein and has incurred and is expected to continue to
24 incur attorneys' fees and costs in connection therewith. Plaintiff is entitled to recover attorneys'
25 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 45. Plaintiff restates and incorporates by this reference as if fully set forth herein
5 paragraphs 1 through 44 of this Complaint.

6 46. 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 47. 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 48. 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 49. 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 50. 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 51. 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).

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PRAYER FOR RELIEF

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WHEREFORE, Plaintiff prays for judgment as follows:

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1. For general damages in an amount within the jurisdictional limits of this Court;

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2. For special damages, according to proof;

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3. For medical expenses and related items of expense, according to proof;

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4. For loss of earnings, according to proof;

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5. For attorneys' fees, according to proof;

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6. For prejudgment interest, according to proof;

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7. For costs of suit incurred herein;

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8. For declaratory relief;

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9. For injunctive relief; and

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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