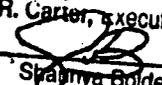


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8 Attorney for Plaintiff
9 TIFFANY BRYANT

FILED
Superior Court of California
County of Los Angeles

NOV 03 2017

Sherri R. Carter, Executive Officer/Clerk
By  Deputy

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
9 **FOR THE COUNTY OF LOS ANGELES**

10 **BC 6 8 1 9 0 0**

11 TIFFANY BRYANT, an individual,

12)
13) Plaintiff,

14 vs.

15 PLANNED PARENTHOOD LOS
16 ANGELES, a California nonprofit
17 corporation; and DOES 1 through 50,
18 inclusive,

19)
20) Defendants.
21)
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23)
24)
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26)
27)
28)

CASE NO.

COMPLAINT FOR DAMAGES

1. **WRONGFUL TERMINATION IN VIOLATION OF PUBLIC POLICY** (*Government Code §12940, et seq.*);
2. **HARASSMENT BASED UPON RACE / NATIONAL ORIGIN** (*Government Code §12940, et seq.*);
3. **DISCRIMINATION BASED UPON RACE / NATIONAL ORIGIN** (*Government Code §12940, et seq.*);
4. **RETALIATION** (*Government Code §12940, et seq.*);
5. **FAILURE TO TAKE ALL REASONABLE STEPS TO PREVENT HARASSMENT, DISCRIMINATION AND RETALIATION** (*Government Code §12940, et seq.*);
6. **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS;**
7. **FAILURE TO PAY WAGES** (*Labor Code §§ 204, 207*);
8. **VIOLATION OF WAGE AND HOUR LAWS - WAITING TIME PENALTIES** (*Labor Code §§202, 203*); and
9. **UNFAIR COMPETITION IN VIOLATION OF BUSINESS AND PROFESSIONS CODE §17200, et seq.**

[DEMAND FOR JURY TRIAL]

CIT/CASE: BC681900
LEA/DEF#:

56

RECEIPT #: CCH465980090
DATE PAID: 11/03/17 02:31 PM
PAYMENT: \$435.00 310
RECEIVED:

CHECK:	\$435.00
CASH:	\$0.00
CHANGE:	\$0.00
CARD:	\$0.00

11/03/17 11

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1 STATEMENT OF FACTS

2 1. Plaintiff TIFFANY BRYANT, an individual (hereinafter "plaintiff"), was
3 employed by defendant PLANNED PARENTHOOD LOS ANGELES, a California nonprofit
4 corporation (hereinafter "defendant PPLA"). She began her employment on or about July 11,
5 2016. Plaintiff's race is African-American. Her title was Family Nurse Practitioner.

6 2. During her employment, defendant PPLA's managerial and supervisory
7 employees, including, but not limited to, Gerarda Tamago (Supervisor) and Noushi Mortazavi
8 (Senior Director of Clinical Operations), harassed and discriminated against plaintiff and
9 other co-employees because of their African-American race.

10 3. This harassment and discrimination occurred on a daily basis and included, but
11 was not limited to, the following:

- 12 a) Calling African-Americans "homies;"
- 13 b) Criticizing the performance of African-American employees;
- 14 c) Making comments about the hair and braids of African-American
15 employees; and
- 16 d) Making derogatory racial slurs about African-Americans.

17 4. Non-African-American employees were not treated in such a manner.

18 5. These actions were unwelcome and made plaintiff and her African-American
19 co-employees extremely uncomfortable. Plaintiff felt defendant PPLA's employees were
20 harassing and discriminating against her and she was experiencing stress from this.

21 6. In or around November, 2016, co-employee Taisha Fletcher, also African-
22 American, complained to defendant PPLA of racial discrimination and harassment by Mr.
23 Tamago. Plaintiff was a witness in support of Ms. Fletcher and interviewed during an
24 investigation conducted by Yadeira Diaz.

25 7. On or about July 27, 2017, plaintiff herself complained to defendant PPLA's
26 Human Resources Department of harassment and discrimination by Mr. Mortazavi. She
27 asked Mr. Mortazavi to cease his behavior. However, the wrongful conduct continued.

28 ///

1 15. The true names and capacities of the defendants sued herein as DOES 1
2 through 50, inclusive, are unknown to plaintiff, who therefore sues these defendants by such
3 fictitious names. Plaintiff will ask leave of the Court to amend this Complaint to show their
4 true names and capacities when same have been ascertained. Plaintiff is informed and
5 believes, and thereon alleges, that each of the defendants, herein designated as a DOE,
6 proximately caused the injuries and damages to plaintiff as hereinafter alleged.

7 16. Plaintiff is informed and believes, and thereon alleges, that each of the
8 defendants designated herein as a DOE is legally responsible in some manner for the events
9 and happenings herein referred to, and negligently, wantonly, recklessly, tortiously and/or
10 unlawfully proximately caused the injuries and damages thereby to plaintiff as herein alleged.

11 17. At all times mentioned herein, defendant PPLA was an employer and existed
12 under the laws of the State of California, and at all times herein mentioned was authorized to
13 do business in California, with a location at 400 West 30th Street, Los Angeles, California
14 90007.

15 18. At all times herein mentioned, DOES 1 through 50 were individuals in
16 supervisory positions at defendant's place of employment and citizens of the State of
17 California. At all times herein mentioned, DOES 1 through 50 were acting in the course and
18 scope of their employment at defendant's place of employment.

19 19. At all times herein mentioned, plaintiff was an individual who resided in the
20 City of Alhambra, State of California, and an employee of defendant and was and is a citizen
21 of the State of California.

22 20. The conduct complained of herein was ratified in the City of Los Angeles,
23 County of Los Angeles, State of California.

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FIRST CAUSE OF ACTION
WRONGFUL TERMINATION
IN VIOLATION OF PUBLIC POLICY
(Government Code §12940, et seq.)
(Against Defendants PPLA and DOES 1-50)

21. The allegations of the Statement of Facts and preceding paragraphs are realleged and incorporated herein by reference except where to do so would be inconsistent with pleading a cause of action for Wrongful Termination in Violation of Public Policy.

22. At all times relevant herein, defendants were employers as that term is defined in California *Government Code* section 12926, et seq., and as such, were barred from discriminating in employment decisions.

23. Plaintiff alleges that the terms and conditions of her employment and her termination was in violation of the public policy of the State of California (*Government Code* §12940, et seq.). *Government Code* section 12920 declares as public policy "that it is necessary to protect and safeguard the right and opportunity of all persons to seek, obtain, and hold employment without discrimination" on the basis of various factors, such as race. The Fair Employment and Housing Act specifically prohibits defendants from discriminating against plaintiff on the basis of race and for retaliating against her for complaining of discrimination and harassment. Defendants did discriminate against plaintiff on the basis of her race. Defendants also retaliated against plaintiff because she complained of discrimination.

24. The Fair Employment and Housing Act prohibits retaliation against any person opposing any forbidden practice. It further provides that any person who participates or cooperates in any manner in any investigation or any other aspect of the process set forth in FEHA shall not be retaliated against. (*Government Code* §12900, et seq.)

25. Plaintiff was retaliated against during her employment based on her status as a witness in favor of a co-employee's complaints and because she agreed to support this employee's complaints of harassment and retaliation. This conduct engaged in by defendants

1 violated the public policy against retaliation enumerated in California *Government Code*
2 section 12900, et seq.

3 26. The retaliation Plaintiff was subjected to was severe and pervasive.

4 27. Defendants violated public policy by discriminating against and terminating
5 plaintiff on the basis of her race and complaints and because she was a witness.

6 28. The Fair Employment and Housing Act's prohibition on discrimination and
7 harassment supports an action for wrongful termination in violation of public policy. The
8 above acts of defendants constituted a wrongful termination of plaintiff and was in violation
9 of public policy as described above. Such termination was a substantial factor in causing
10 damage and injury to plaintiff set forth below.

11 29. As a proximate result of the aforesaid acts of defendants, plaintiff has
12 foreseeably suffered and continues to suffer substantial loss of earnings and employment
13 benefits in an amount according to proof at the time of trial. Plaintiff claims such amount as
14 damages together with prejudgment interest pursuant to *Government Code* section 12940, et
15 seq., and/or any other provision of law providing for prejudgment interest.

16 30. Plaintiff further has incurred additional expenses in her efforts to regain
17 employment, all to her damage in an amount according to proof at the time of trial.

18 31. As a direct and proximate result of the aforementioned wrongful conduct of
19 defendants, plaintiff will suffer additional loss of earnings, reduced earning capacity in the
20 future, and other incidental and consequential damages in an amount according to proof at the
21 time of trial.

22 32. Plaintiff incurred expenses herein for necessary and reasonable attorneys' fees
23 in order to enforce her rights and to obtain benefits due her, all to her further damage in an
24 amount according to proof.

25 33. As a proximate result of the conduct complained of herein, plaintiff suffered
26 and continues to suffer embarrassment, humiliation, emotional distress, mental anguish and
27 severe shock to her nervous system, and thereby sustained serious injuries to her physical and
28 mental health, strength and activity, causing her extreme physical and emotional pain, all to

1 her general damage in such amount as may be proven. Said amount is within the jurisdiction
2 of the Superior Court of the State of California.

3 34. As a direct and proximate result of the aforementioned wrongful conduct of
4 defendants, plaintiff incurred medical expenses, the exact nature and extent of which are
5 unknown to plaintiff at this time and plaintiff will ask leave of court to amend this complaint
6 in this regard when the same have been ascertained.

7 35. As a direct and proximate result of the aforementioned wrongful conduct of
8 defendants, plaintiff will be required to incur additional future medical expenses all to her
9 further damage in an amount to be proven at trial.

10 36. Because the acts taken toward plaintiff were carried out in a deliberate, cold,
11 callous and intentional manner in order to injure and damage plaintiff, plaintiff requests the
12 assessment of punitive damages against defendants in an amount appropriate to punish and
13 make an example of defendants.

14 **SECOND CAUSE OF ACTION**

15 **HARASSMENT BASED UPON RACE / NATIONAL ORIGIN**

16 *(Government Code §12940, et seq.)*

17 **(Against Defendants PPLA and DOES 1-50)**

18 37. The allegations of the Statement of Facts and preceding paragraphs are
19 realleged and incorporated herein by reference except where to do so would be inconsistent
20 with pleading a cause of action for Harassment based upon Race / National Origin.

21 38. FEHA prohibits harassment in employment. FEHA additionally requires an
22 employer which learns about harassment to conduct an immediate and effective investigation
23 and to provide remedies if needed.

24 39. When defendants, and each of them, engaged in the acts alleged in this
25 Complaint, they created a hostile work environment on the basis of plaintiff's race by
26 harassing plaintiff, by failing to conduct an effective investigation, by failing to provide
27 meaningful remedies to make whole the victim and by failing to ensure that harassment does
28 not occur again.

1 40. When plaintiff advised defendants of the acts alleged in this Complaint,
2 defendants had a duty to conduct an effective investigation and to provide effective remedies.
3 When defendants failed to do so, they violated their affirmative duty to plaintiff under
4 *Government Code* sections 12940(h) & (i).

5 41. As a proximate result of the aforesaid acts of defendants, plaintiff has
6 foreseeably suffered and continues to suffer substantial loss of earnings and employment
7 benefits in an amount according to proof at the time of trial. Plaintiff claims such amount as
8 damages together with prejudgment interest pursuant to *Government Code* section 12945, et
9 seq. and/or any other provision of law providing for prejudgment interest.

10 42. As a direct and proximate result of the aforementioned wrongful conduct of
11 defendants, and each of them, plaintiff will suffer additional loss of earnings, reduced earning
12 capacity in the future, and other incidental and consequential damages in an amount according
13 to proof at the time of trial.

14 43. Plaintiff incurred expenses herein for necessary and reasonable attorneys' fees
15 in order to enforce her rights and to obtain benefits due her, all to her further damage in an
16 amount according to proof.

17 44. As a proximate result of the conduct complained of herein, plaintiff suffered
18 and continues to suffer embarrassment, humiliation, emotional distress, mental anguish and
19 severe shock to her nervous system, and thereby sustained serious injuries to her physical and
20 mental health, strength and activity, causing her extreme physical and emotional pain, all to
21 her general damage in such amount as may be proven. Said amount is within the jurisdiction
22 of the Superior Court of the State of California.

23 45. As a direct and proximate result of the aforementioned wrongful conduct of
24 defendants, and each of them, plaintiff incurred medical expenses, the exact nature and extent
25 of which are unknown to plaintiff at this time and plaintiff will ask leave of court to amend
26 this complaint in this regard when the same have been ascertained.

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1 54. Plaintiff further has incurred additional expenses in her efforts to regain
2 employment, all to her damage in an amount according to proof at the time of trial.

3 55. As a direct and proximate result of the aforementioned wrongful conduct of
4 defendants, plaintiff will suffer additional loss of earnings, reduced earning capacity in the
5 future, and other incidental and consequential damages in an amount according to proof at the
6 time of trial.

7 56. Plaintiff incurred expenses herein for necessary and reasonable attorneys' fees
8 in order to enforce her rights and to obtain benefits due her, all to her further damage in an
9 amount according to proof.

10 57. As a proximate result of the conduct complained of herein, plaintiff suffered
11 and continues to suffer embarrassment, humiliation, emotional distress, mental anguish and
12 severe shock to her nervous system, and thereby sustained serious injuries to her physical and
13 mental health, strength and activity, causing her extreme physical and emotional pain, all to
14 her general damage in such amount as may be proven. Said amount is within the jurisdiction
15 of the Superior Court of the State of California.

16 58. As a direct and proximate result of the aforementioned wrongful conduct of
17 defendants, plaintiff incurred medical expenses, the exact nature and extent of which are
18 unknown to plaintiff at this time and plaintiff will ask leave of court to amend this complaint
19 in this regard when the same have been ascertained.

20 59. As a direct and proximate result of the aforementioned wrongful conduct of
21 defendants, plaintiff will be required to incur additional future medical expenses all to her
22 further damage in an amount to be proven at trial.

23 60. Because the acts taken toward plaintiff were carried out by managerial
24 employees acting in a deliberate, cold, callous and intentional manner in order to injure and
25 damage plaintiff, plaintiff requests the assessment of punitive damages against defendants in
26 an amount appropriate to punish and make an example of defendants.

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1 **FOURTH CAUSE OF ACTION**

2 **RETALIATION**

3 **(Government Code §12940, et seq.)**

4 **(Against Defendants PPLA and DOES 1-50)**

5 61. The allegations of the Statement of Facts and preceding paragraphs are
6 realleged and incorporated herein by reference except where to do so would be inconsistent
7 with pleading a cause of action for Retaliation.

8 62. At all times relevant herein, defendants, and each of them, were employers as
9 that term is defined in *Government Code* section 12926, et seq., and as such, were barred from
10 retaliating in employment decisions.

11 63. The Fair Employment and Housing Act prohibits retaliation against any person
12 opposing any forbidden practice. It further provides that any person who participates or
13 cooperates in any manner in any investigation or any other aspect of the process set forth in
14 FEHA shall not be retaliated against. (*Government Code* §12900, et seq.)

15 64. When plaintiff became a witness in favor of her co-employee and when she
16 agreed to support her co-employee's complaints of harassment, discrimination and retaliation,
17 she was engaged in a protected activity. (*Government Code* §12900, et seq.)

18 65. During her employment, plaintiff also complained that she was being harassed
19 and discriminated against because of her race. When she did so, she was a protected person,
20 engaged in a protected activity.

21 66. When she was a protected person, engaged in a protected activity, defendants,
22 and each of them, engaged in acts of retaliation as alleged in this complaint, including, but
23 limited to, terminating plaintiff.

24 67. Defendants retaliated against plaintiff because she was African-American,
25 supported another employee's complaints and complained of harassment and discrimination.
26 Therefore, a causal link exists between the protected nature and activities plaintiff was
27 engaged in and defendants' actions.

28 ///

1 68. As a proximate result of the aforesaid acts of defendants, plaintiff has
2 foreseeable suffered and continues to suffer substantial loss of earnings and employment
3 benefits in an amount according to proof at the time of trial. Plaintiff claims such amount as
4 damages together with prejudgment interest pursuant to *Government Code* section 12945, et
5 seq. and/or any other provision of law providing for prejudgment interest.

6 69. Plaintiff further has incurred additional expenses in her efforts to regain
7 employment, all to her damage in an amount according to proof at the time of trial.

8 70. As a direct and proximate result of the aforementioned wrongful conduct of
9 defendants, plaintiff will suffer additional loss of earnings, reduced earning capacity in the
10 future, and other incidental and consequential damages in an amount according to proof at the
11 time of trial.

12 71. Plaintiff incurred expenses herein for necessary and reasonable attorneys' fees
13 in order to enforce her rights and to obtain benefits due her, all to her further damage in an
14 amount according to proof.

15 72. As a proximate result of the conduct complained of herein, plaintiff suffered
16 and continues to suffer embarrassment, humiliation, emotional distress, mental anguish and
17 severe shock to her nervous system, and thereby sustained serious injuries to her physical and
18 mental health, strength and activity, causing her extreme physical and emotional pain, all to
19 her general damage in such amount as may be proven. Said amount is within the jurisdiction
20 of the Superior Court of the State of California.

21 73. As a direct and proximate result of the aforementioned wrongful conduct of
22 defendants, plaintiff incurred medical expenses, the exact nature and extent of which are
23 unknown to plaintiff at this time and plaintiff will ask leave of court to amend this complaint
24 in this regard when the same have been ascertained.

25 74. As a direct and proximate result of the aforementioned wrongful conduct of
26 defendants, plaintiff will be required to incur additional future medical expenses all to her
27 further damage in an amount to be proven at trial.

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1 damages together with prejudgment interest pursuant to *Government Code* section 12945, et
2 seq. and/or any other provision of law providing for prejudgment interest.

3 80. Plaintiff further has incurred additional expenses in her efforts to regain
4 employment, all to her damage in an amount according to proof at the time of trial.

5 81. As a direct and proximate result of the aforementioned wrongful conduct of
6 defendants, and each of them, plaintiff will suffer additional loss of earnings, reduced earning
7 capacity in the future, and other incidental and consequential damages in an amount according
8 to proof at the time of trial.

9 82. Plaintiff incurred expenses herein for necessary and reasonable attorneys' fees
10 in order to enforce her rights and to obtain benefits due her, all to her further damage in an
11 amount according to proof.

12 83. As a proximate result of the conduct complained of herein, plaintiff suffered
13 and continues to suffer embarrassment, humiliation, emotional distress, mental anguish and
14 severe shock to her nervous system, and thereby sustained serious injuries to her physical and
15 mental health, strength and activity, causing her extreme physical and emotional pain, all to
16 her general damage in such amount as may be proven. Said amount is within the jurisdiction
17 of the Superior Court of the State of California.

18 84. As a direct and proximate result of the aforementioned wrongful conduct of
19 defendants, and each of them, plaintiff incurred medical expenses, the exact nature and extent
20 of which are unknown to plaintiff at this time and plaintiff will ask leave of court to amend
21 this complaint in this regard when the same have been ascertained.

22 85. As a direct and proximate result of the aforementioned wrongful conduct of
23 defendants, and each of them, plaintiff will be required to incur additional future medical
24 expenses all to her further damage in an amount to be proven at trial.

25 86. Because the acts taken toward plaintiff were carried out in a deliberate, cold,
26 callous and intentional manner in order to injure and damage plaintiff, plaintiff requests the
27 assessment of punitive damages against defendants, and each of them, in an amount
28 appropriate to punish and make an example of defendants.

SIXTH CAUSE OF ACTION

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

(Against Defendants PPLA and DOES 1-50)

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4 87. The allegations of the Statement of Facts and preceding paragraphs are
5 realleged and incorporated herein by reference except where to do so would be inconsistent
6 with pleading a cause of action for Intentional Infliction of Emotional Distress.

7 88. When defendants did the acts described in this complaint, they engaged in
8 extreme and outrageous conduct. They did such acts deliberately, intentionally and recklessly
9 so as to cause plaintiff severe emotional distress. Defendants' conduct in confirming and
10 ratifying that conduct was done with knowledge that plaintiff's distress would thereby
11 increase, and was done with wanton and reckless disregard of the consequences to plaintiff.

12 89. The above acts of defendants caused plaintiff severe emotional distress,
13 anxiety, sleeplessness, and were outrageous and beyond the scope of her employment. As a
14 direct, proximate and foreseeable result of the aforesaid conduct of the defendants, plaintiff
15 has suffered damages and injuries set forth below.

16 90. As a result of the aforesaid acts of defendants, plaintiff has become mentally
17 upset, distressed and aggravated. Plaintiff claims general damages for such mental distress
18 and aggravation in an amount of which will be proven at time of trial.

19 91. As a proximate result of the aforesaid acts of defendants, plaintiff has
20 foreseeably suffered and continues to suffer substantial loss of earnings and employment
21 benefits in an amount according to proof at the time of trial. Plaintiff claims such amount as
22 damages together with prejudgment interest.

23 92. Plaintiff further has incurred additional expenses in her efforts to regain
24 employment, all to her damage in an amount according to proof at the time of trial.

25 93. As a direct and proximate result of the aforementioned wrongful conduct of
26 defendants, and each of them, plaintiff will suffer additional loss of earnings, reduced earning
27 capacity in the future, and other incidental and consequential damages in an amount according
28 to proof at the time of trial.

1 calendar month must be paid no later than the 26th day of the month during which the labor
2 was performed, and wages earned between the 16th and last day of the month must be paid by
3 the 10th day of the following month. Other payroll periods such as weekly, biweekly (every
4 two weeks) or semimonthly (twice per month) when the earning period is something other
5 than between the 1st and 15th, and 16th and last day of the month, must be paid within seven
6 calendar days of the end of the payroll period within which the wages were earned. *Labor*
7 *Code* §204.

8 100. During her employment, plaintiff worked hours for which she was not paid.
9 For example, plaintiff never received payment for the increase in wages she was owed.

10 101. Plaintiff has been available and ready to receive wages owed to her.

11 102. Plaintiff has never refused to receive any payment, nor has plaintiff been absent
12 from defendants' regular places of business.

13 103. Defendants' failure to pay plaintiff wages earned was wilful because it had
14 knowledge of the illegality of failing to pay plaintiff wages earned and owed and has
15 intentionally failed to do so as required by law.

16 104. Plaintiff also requests all unpaid wages, waiting time penalties and interest.
17 (*Labor Code* §§ 218.5, 218:6.) Plaintiff further requests civil penalties as provided for in
18 *Labor Code* section 558.

19 105. As a direct and proximate result of defendants' failure to provide the
20 entitlements set forth above, plaintiff has suffered lost wages and other benefits of
21 employment in an amount to be proven at trial.

22 **EIGHTH CAUSE OF ACTION**

23 **VIOLATION OF WAGE AND HOUR LAWS - WAITING TIME PENALTIES**

24 (*Labor Code* §§202, 203)

25 **(Against Defendants PPLA and DOES 1-50)**

26 106. The allegations of the Statement of Facts and preceding paragraphs are
27 realleged and incorporated herein by reference except where to do so would be inconsistent

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1 with pleading a cause of action for Violation of Wage and Hour Laws - Waiting Time
2 Penalties.

3 107. *Labor Code* section 203, provides in pertinent part that if an employer willfully
4 fails to pay, without abatement or reduction, in accordance with sections 201, 201.5, 202 and
5 205.5, any wages of an employee who is discharged or who quits, the wages of the employee
6 shall continue as a penalty from the due date thereof at the same rate until paid or until an
7 action therefore is commenced; but the wages shall not continue for more than 30 days.

8 108. When plaintiff worked for defendants, she was a non-exempt hourly employee.
9 Pursuant to *Labor Code* section 202, upon her termination, she was due immediate payment
10 of her wages. However, she was not immediately paid all wages owed her. These acts by
11 defendants constituted a violation of California's wage and hour laws.

12 109. This failure to *Labor Code*, including but not limited to sections 202 and 203.

13 110. Thus, plaintiff and all hourly employees who did not receive immediate
14 payment of wages upon their termination are owed monies.

15 111. *Labor Code* section 200 defines "wages" as including all amounts for labor
16 performed by employees of every description, whether the amount is fixed or ascertained by
17 the standard of time, task, piece commission basis, or other method of calculation.

18 112. Plaintiff has been available and ready to receive wages owed to her.

19 113. Plaintiff has never refused to receive any payment, nor has plaintiff been absent
20 from defendants' regular places of business.

21 114. Defendants' failure to pay plaintiff's wages due and owing plaintiff was wilful
22 because defendants have failed to pay any portion of the amount due and owing plaintiff.
23 Defendants' conduct was wilful because it had knowledge of the illegality of failing to
24 immediately pay wages and has intentionally failed to make payment as required by law.

25 115. Plaintiff also requests all unpaid wages, waiting time penalties and interest.

26 (*Labor Code* §§ 202, 203, 218.5, 218.6.) Plaintiff further requests civil penalties as provided
27 for in *Labor Code* section 558.

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1 capacity in the future, and other incidental and consequential damages in an amount according
2 to proof at the time of trial.

3 124. Unless restrained, defendants will continue in the acts and conduct set forth
4 above, to plaintiff's great and irreparable injury, for which damages will not afford adequate
5 relief.

6 **PRAYER**

7 WHEREFORE, plaintiff prays for judgment against defendants as follows:

8 1. For compensatory damages, as allowed by law, for an amount in excess of
9 \$50,000 and according to proof at trial;

10 2. For an award of punitive damages, as allowed by law, for an amount in excess
11 of \$50,000 and according to proof at trial;

12 3. For medical and related expenses, as allowed by law, for an amount in excess
13 of \$50,000 and according to proof at trial;

14 4. For lost earnings, past, present and future, as allowed by law, for an amount in
15 excess of \$50,000 and according to proof at trial;

16 5. For wages, interest, damages and penalties pursuant to the *Labor Code* and
17 *Business and Professions Code* sections set forth herein;

18 6. For attorneys' fees and costs, as permitted by law, including but not limited to
19 *Government Code* section 12900, et seq. and *Labor Code* sections 1194 and 226(e);

20 7. For prejudgment interest on all amounts claimed, as permitted by law; and

21 8. For such other and further relief as the Court deems just and proper.

22 DATED: November 7, 2017

JAY S. ROTHMAN & ASSOCIATES

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25 JAY S. ROTHMAN
Attorney for Plaintiff
TIFFANY BRYANT

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DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury of the foregoing causes of action.

DATED: November 11, 2017 JAY S. ROTHMAN & ASSOCIATES



JAY S. ROTHMAN
Attorney for Plaintiff
TIFFANY BRYANT

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11/03/2017

EXHIBIT A



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 | TDD 800-700-2320
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

DIRECTOR KEVIN KISH

October 31, 2017

Jay Rothman

RE: Notice to Complainant or Complainant's Attorney

DFEH Matter Number: 970562-321439

Right to Sue: Bryant / Planned Parenthood Los Angeles

Dear Complainant or Complainant's Attorney:

Attached is a copy of your complaint of discrimination filed with the Department of Fair Employment and Housing (DFEH) pursuant to the California Fair Employment and Housing Act, Government Code section 12900 et seq. Also attached is a copy of your Notice of Case Closure and Right to Sue. Pursuant to Government Code section 12962, DFEH will not serve these documents on the employer. You or your attorney must serve the complaint. If you do not have an attorney, you must serve the complaint yourself. Please refer to the attached Notice of Case Closure and Right to Sue for information regarding filing a private lawsuit in the State of California.

Be advised that the DFEH does not review or edit the complaint form to ensure that it meets procedural or statutory requirements.

Sincerely,

Department of Fair Employment and Housing

110312017



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

DIRECTOR KEVIN KISH

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 | TDD 800-700-2320
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

October 31, 2017

RE: Notice of Filing of Discrimination Complaint
DFEH Matter Number: 970562-321439
Right to Sue: Bryant / Planned Parenthood Los Angeles

To All Respondent(s):

Enclosed is a copy of a complaint of discrimination that has been filed with the Department of Fair Employment and Housing (DFEH) in accordance with Government Code section 12960. This constitutes service of the complaint pursuant to Government Code section 12962. The complainant has requested an authorization to file a lawsuit. This case is not being investigated by DFEH and is being closed immediately. A copy of the Notice of Case Closure and Right to Sue is enclosed for your records.

Please refer to the attached complaint for a list of all respondent(s) and their contact information.

No response to DFEH is requested or required.

Sincerely,

Department of Fair Employment and Housing

11/03/2017



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 | TDD 800-700-2320
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

DIRECTOR KEVIN KISH

October 31, 2017

Tiffany Bryant
C/o 21900 Burbank Blvd., Ste. 210
Woodland Hills, California 91367

RE: Notice of Case Closure and Right to Sue
DFEH Matter Number: 970562-321439
Right to Sue: Bryant / Planned Parenthood Los Angeles

Dear Tiffany Bryant,

This letter informs you that the above-referenced complaint was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective October 31, 2017 because an immediate Right to Sue notice was requested. DFEH will take no further action on the complaint.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

To obtain a federal Right to Sue notice, you must visit the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this DFEH Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Department of Fair Employment and Housing

11/03/2017



STATE OF CALIFORNIA | Business, Consumer Services and Housing Agency

GOVERNOR EDMUND G. BROWN JR.

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 | TDD 800-700-2320
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

DIRECTOR KEVIN KISH

Enclosures

cc:

11/03/2017

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Additional Complaint Details:

I was discriminated against because of my race (African American) by my manager, Berusch Mortuzavi. I complained and was retaliated against. I was pretextually fired on August 2, 2017.

1 VERIFICATION

2 I, **Jay S. Rothman**, am the Attorney for Complainant in the above-entitled complaint.
3 I have read the foregoing complaint and know the contents thereof. The same is
4 true of my own knowledge, except as to those matters which are therein alleged on
information and belief, and as to those matters, I believe it to be true.

5 On October 31, 2017, I declare under penalty of perjury under the laws of the State
6 of California that the foregoing is true and correct.

7 **Woodland Hills, CA**
8 **Jay S. Rothman**

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10312017

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, Street number, and address):

FOR COURT USE ONLY

Jay S. Rothman 49739

JAY S. ROTHMAN & ASSOCIATES
21900 Burbank Boulevard, Suite 210
Woodland Hills, CA 91367

TELEPHONE NO.: (818) 986-7870 FAX NO.: (818) 990-3019

ATTORNEY FOR (Name): Plaintiff, RIFFANY BRYANT

FILED
Superior Court of California
County of Los Angeles

NOV 03 2017

Sherri R. Carter, Executive Officer/Clerk

By Shayna Bolden Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

STREET ADDRESS: 111 North Hill Street

MAILING ADDRESS:

CITY AND ZIP CODE: Los Angeles 90012

BRANCH NAME: Central District

CASE NAME: TIFFANY BRYANT v. PLANNED PARENTHOOD
LOS ANGELES, etc., et al.

CIVIL CASE COVER SHEET

Unlimited (Amount demanded exceeds \$25,000)
 Limited (Amount demanded is \$25,000 or less)

Complex Case Designation

Counter **Joinder**
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER:

BC 681900

JUDGE:

DEPT.:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort

- Auto (22)
- Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

- Asbestos (04)
- Product liability (24)
- Medical malpractice (45)
- Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort

- Business tort/unfair business practice (07)
- Civil rights (08)
- Defamation (13)
- Fraud (16)
- Intellectual property (19)
- Professional negligence (25)
- Other non-PI/PD/WD tort (35)

Employment

- Wrongful termination (36)
- Other employment (15)

Contract

- Breach of contract/warranty (06)
- Rule 3.740 collections (09)
- Other collections (09)
- Insurance coverage (18)
- Other contract (37)

Real Property

- Eminent domain/Inverse condemnation (14)
- Wrongful eviction (33)
- Other real property (26)

Unlawful Detainer

- Commercial (31)
- Residential (32)
- Drugs (38)

Judicial Review

- Asset forfeiture (05)
- Petition re: arbitration award (11)
- Writ of mandate (02)
- Other judicial review (39)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)

- Antitrust/Trade regulation (03)
- Construction defect (10)
- Mass tort (40)
- Securities litigation (28)
- Environmental/Toxic tort (30)
- Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment

- Enforcement of judgment (20)

Miscellaneous Civil Complaint

- RICO (27)
- Other complaint (not specified above) (42)

Miscellaneous Civil Petition

- Partnership and corporate governance (21)
- Other petition (not specified above) (43)

- 2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
a. Large number of separately represented parties
b. Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
c. Substantial amount of documentary evidence
d. Large number of witnesses
e. Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
f. Substantial postjudgment judicial supervision
- 3. Remedies sought (check all that apply): a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive
- 4. Number of causes of action (specify): nine
- 5. This case is is not a class action suit.
- 6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: November 1, 2017

JAY S. ROTHMAN

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court.

Step 1: After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.

Step 2: In Column B, check the box for the type of action that best describes the nature of the case.

Step 3: In Column C, circle the number which explains the reason for the court filing location you have chosen.

Applicable Reasons for Choosing Court Filing Location (Column C)

- | | |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, Central District. | 7. Location where petitioner resides. |
| 2. Permissive filing in central district. | 8. Location wherein defendant/respondent functions wholly. |
| 3. Location where cause of action arose. | 9. Location where one or more of the parties resides. |
| 4. Mandatory personal injury filing in North District. | 10. Location of Labor Commissioner Office. |
| 5. Location where performance required or defendant resides. | 11. Mandatory filing location (Hub Cases – unlawful detainer, limited non-collection, limited collection, or personal injury). |
| 6. Location of property or permanently garaged vehicle. | |

Auto Tort
Other Personal Injury/ Property Damage/ Wrongful Death Tort

A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1, 4, 11
Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death - Uninsured Motorist	1, 4, 11
Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	1, 11 1, 11
Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1, 4, 11
Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1, 4, 11 1, 4, 11
Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1, 4, 11 1, 4, 11 1, 4, 11 1, 4, 11

TIFFANY BRYANT v. PLANNED PARENTHOOD

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/ Property Damage/ Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1, 2, 3
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1, 2, 3
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1, 2, 3
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1, 2, 3
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1, 2, 3 1, 2, 3
	Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	1, 2, 3
Employment	Wrongful Termination (36)	<input checked="" type="checkbox"/> A6037 Wrongful Termination	1, 2, 3
	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1, 2, 3 10
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach-Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2, 5 2, 5 1, 2, 5 1, 2, 5
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case <input type="checkbox"/> A6034 Collections Case-Purchased Debt (Charged Off Consumer Debt Purchased on or after January 1, 2014)	5, 6, 11 5, 11 5, 6, 11
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1, 2, 5, 8
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute (not breach/insurance/fraud/negligence)	1, 2, 3, 5 1, 2, 3, 5 1, 2, 3, 8, 9
	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels	2, 6
	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2, 6
Real Property	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6 2, 6 2, 6
	Unlawful Detainer- Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer- Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	6, 11
Unlawful Detainer	Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2, 6, 11
	Unlawful Detainer- Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2, 6, 11

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2, 3, 6
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2, 5
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2, 8 2 2
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ/Judicial Review	2, 8
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1, 2, 8
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1, 2, 3
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1, 2, 8
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1, 2, 8
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1, 2, 3, 8
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment	2, 5, 11
		<input type="checkbox"/> A6160 Abstract of Judgment	2, 6
		<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)	2, 9
		<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)	2, 8
		<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2, 8
		<input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2, 8, 9
Miscellaneous Civil Complaints	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1, 2, 8
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1, 2, 8
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2, 8
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1, 2, 8
<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)		1, 2, 8	
Miscellaneous Civil Petitions	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2, 8
	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment	2, 3, 9
		<input type="checkbox"/> A6123 Workplace Harassment	2, 3, 9
		<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case	2, 3, 9
		<input type="checkbox"/> A6190 Election Contest	2
		<input type="checkbox"/> A6110 Petition for Change of Name/Change of Gender	2, 7
<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law		2, 3, 8	
	<input type="checkbox"/> A6100 Other Civil Petition	2, 9	

TIFFANY BRYANT v. PLANNED PARENTHOOD

Step 4: Statement of Reason and Address: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address which is the basis for the filing location, including zip code. (No address required for class action cases).

REASON: <input type="checkbox"/> 1. <input checked="" type="checkbox"/> 2. <input type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11.			ADDRESS: 400 West 30th Street
CITY: Los Angeles	STATE: CA	ZIP CODE: 90007	

Step 5: Certification of Assignment: I certify that this case is properly filed in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 99 et seq., and Local Rule 2.3(a)(1)(E)].

Dated: November 1, 2017



 (SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 02/16).
5. Payment in full of the filing fee, unless there is court order for waiver, partial or scheduled payments.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.