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SUPERIOR COURT FOR THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

MELANIE MCCRACKEN, an
individual, JESSICA NEGRON, an
individual,
Plaintiff,
vs.
RIOT GAMES, INC., a Delaware
corporation; and DOES 1 through 10,
inclusive,
Defendants.

Case No.: 18STCV03957

Assigned to Hon. Elihu M. Berle in Dept. 6

CLASS ACTION

THIRD AMENDED COMPLAINT FOR:

- 1. Violation of California Equal Pay Act (Cal. Labor Code § 1197.5(a))**
- 2. Discrimination and Retaliation in Violation of California Equal Pay Act (Cal. Labor Code § 1197.5(k))**
- 3. Discrimination in Violation of the Fair Employment & Housing Act (Cal. Govt. Code § 12940(a))**
- 4. Harassment in Violation of the Fair Employment & Housing Act (Cal.**

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- Govt. Code § 12940(j)(1))
- 5. Retaliation in Violation of the Fair Employment & Housing Act (Cal. Govt. Code § 12940(h))
- 6. Failure to Prevent Discrimination and Harassment in Violation of the Fair Employment & Housing Act (Cal. Govt. Code § 12940(k))
- 7. Violations of Unfair Competition Law (Bus. & Prof. Code § 17200, et seq.)
- 8. Civil Penalties under the Private Attorneys General Act (Cal. Labor Code § 2698, et seq.)

DEMAND FOR JURY TRIAL

TO THIS HONORABLE COURT AND ALL INTERESTED PARTIES:

NOW COME Plaintiffs JESSICA NEGRON, GABRIELA DOWNIE along with JESSICA SEIFERT, ANTONIA GALINDO, IRINA CRUDU, GINA CRUZ RIVERA, and MAYANNA BERRIN (collectively “Plaintiffs”) submit their Third Amended Complaint to allege causes of action, individually and on behalf of a class of similarly-situated current and former California employees, against Defendants RIOT GAMES, INC. (“Riot Games”), a Delaware corporation, and DOES 1 through 10, inclusive, (collectively “Defendants”) as follows:

NATURE OF ACTION

1. Plaintiff Jessica Negron was an employee of Riot Games and Plaintiff Gabriela Downie was a temporary agency contractor who was assigned to work at Riot Games. Concurrently with the filing of this Third Amended Complaint, Plaintiffs Jessica Seifert, a former contractor and full-time salaried employee of Riot Games, Antonia Galindo, a former contractor and current full-time salaried employee of Riot Games, Irina Crudu, a former full-time salaried employee of Riot Games, Gina Cruz Rivera, a current full-time salaried employee of Riot Games, and Mayanna Berrin, a former contractor of Riot Games, are hereby included as

1 Plaintiffs in this action. Like many of Riot Games’ female employees, Plaintiffs have been
2 denied equal pay and found their careers stifled because they are women. Moreover, Plaintiffs
3 have also seen their working conditions negatively impacted because of the ongoing sexual
4 harassment, misconduct, and bias that predominate the sexually hostile working environment of
5 Riot Games.

6 2. The term used at Riot Games to identify and instill the ideals of a committed Riot
7 Games employee is “Rioter.” The primary tenet of being a “Rioter” is being a “core gamer.”
8 While the term is ostensibly meant to promote the hiring and advancement of people who are
9 video game fanatics, it has a more nefarious meaning to Riot Games’ female employees.
10 Specifically, the term “core-gamer” is an unwritten policy and practice of preferring men to
11 women in the hiring, promotion, and compensation of its employees. It is also a conduit to
12 forcing female employees to endure the sexual harassment and misconduct that has plagued
13 “gaming culture” and to keep silent about these issues. In sum, being a “core gamer” equates to
14 being a man, and the presumption is that women are not core gamers and therefore not true
15 “Rioters.”

16 3. Recently, two major news publications commenced a series of in-depth reports on
17 the extensive sexual harassment and gender discrimination that has been cultivated at Riot
18 Games by its leadership. However, even though the issues plaguing Riot Games have come to
19 light in a public forum, Riot Games is simply sweeping these allegations under the rug with
20 empty investigations and counseling, while protecting the bad actors from any repercussion. The
21 prevalent misconduct cannot be ignored any longer, as Plaintiffs seek to ensure the complaints of
22 all the female employees of Riot Games are taken seriously and acted upon. Accordingly, on
23 behalf of themselves and on behalf of a proposed class of similarly-situated current and former
24 California employees of Riot Games, Plaintiffs bring this class action lawsuit to obtain monetary
25 damages and cause social change for the misconduct perpetrated by Riot Games.

26 4. Specifically, Plaintiffs seek to stop Riot Games’ custom and practice of (a) paying
27 women less than similarly-situated men; (b) assigning women to jobs that Riot Games does not
28 compensate as highly as those jobs populated by men, even when women are equally qualified

1 for more highly compensated jobs; (c) promoting similarly-situated and qualified men more
2 frequently than women who are equally or more qualified for promotions; (d) assigning or
3 demoting women to lower paid positions than similarly-situated men, even when these women's
4 qualifications were equal to or greater than the men's qualifications; and (e) creating,
5 encouraging, and maintaining a work environment that exposes its female employees to
6 discrimination, harassment, and retaliation on the basis of their gender or sex.

7 **THE PARTIES**

8 5. Plaintiff Gabriela Downie is an adult female resident of the County of Los
9 Angeles State of California, and performed work at Riot Games from approximately August 1,
10 2017, until March 31, 2018.

11 6. Plaintiff Jessica Negron is an adult female resident of the State of Connecticut and
12 was employed by Riot Games from approximately April 2015 through April 2017.

13 7. Plaintiff Jessica Seifert is an adult female resident of the State of North Carolina,
14 and was employed by Riot Games from approximately April 2014 through April 2, 2019.

15 8. Plaintiff Antonia Galindo is an adult female resident of the State of California,
16 County of Los Angeles, and has been employed at Riot Games from approximately May 29,
17 2015, through the present.

18 9. Plaintiff Irina Crudu is an adult female resident of the State of Washington, and
19 was employed by Riot Games from approximately December 2011 through October 2018.

20 10. Plaintiff Gina Cruz Rivera is an adult female resident of the State of California,
21 County of Los Angeles, and has been employed by Riot Games from approximately April 2016
22 through the present.

23 11. Plaintiff Mayanna Berrin is an adult female resident of the State of California,
24 County of Los Angeles, and has been employed by Riot Games from approximately March of
25 2018 through October 2019.

26 12. Defendant Riot Games is a corporation duly organized and existing under the
27 laws of the State of Delaware, with its principal place of business located at 12333 West
28 Olympic Boulevard, Los Angeles, California 90064. Riot Games was founded in 2006 and is a

1 video game developer, best known for creating and selling “League of Legends,” a multiplayer
2 online battle-arena game and the company’s banner product. Riot Games operates 24 offices
3 around the world and employs approximately 2,500 staff members of which 80% of whom are
4 male. At all relevant times, Riot Games was and is doing business in the City of Los Angeles,
5 State of California.

6 13. The true names and capacities, whether individual, plural, corporate, partnership,
7 associate, or otherwise, of DOES 1 through 10, inclusive, are unknown to Plaintiffs who
8 therefore sues said Defendant by such fictitious names. The full extent of the facts linking such
9 fictitiously sued Defendants is unknown to Plaintiffs. Plaintiffs are informed and believe, and
10 thereupon allege that each of the Defendants designated herein as a DOE was, and is,
11 negligently, recklessly, and/or intentionally responsible for the events and happenings hereinafter
12 referred to, and thereby negligently, recklessly, and/or intentionally legally and proximately
13 caused the hereinafter described injuries and damages to Plaintiffs. Plaintiffs will hereafter seek
14 leave of the Court to amend this Complaint to show the fictitiously sued Defendants’ true names
15 and capacities, after the same has been ascertained. The term “Defendants” used in this
16 Complaint shall mean Defendant Riot Games and Does 1-10.

GENERAL ALLEGATIONS

The “Bro Culture” Fostered By Riot Games

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19 14. Riot Games is notorious for fostering a culture of sexism and mistreatment
20 towards women. After having endured years of discrimination, harassment, and retaliation, and
21 without any corrective action by their employer, many of the female employees of Riot Games
22 spoke about these issues publicly.

23 15. On August 7, 2018, *Kotaku*, a video game website and blog, published an expose
24 on the “bro culture” of Riot Games and the prevalent sexism and mistreatment of women.¹ Over
25 the course of several months, *Kotaku* interviewed 28 current and former Riot Games employees.
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¹ Cecilia D’ Anastasio, *Inside The Culture of Sexism at Riot Games*, August 7, 2018, available at <https://kotaku/inside-the-culture-of-sexism-at-riot-games-1828165483>.

1 In the article, a clear division between the treatment of male and female employees was
2 illuminated.

3 16. Examples of the “bro culture” at Riot Games, include but are not limited to some
4 of the following:

- 5 (a) Defendants have required many female employees to fulfill roles about their title and
6 pay grade, while falsely promising these women with a promotion and ultimately hiring
7 a man to fill the role after the female employee was already competently performing the
8 position.
- 9 (b) Female employees are regularly belittled by supervisors at staff meetings by comments
10 such as “her kids and her husband must really miss her while she was at work;” “she
11 talks louder than she should;” “she’s shrill;” or “she should speak less.”
- 12 (c) Male employees are celebrated for their ideas while simultaneously women are either
13 not asked for ideas, or if they are asked, the ideas are dismissed immediately without
14 conversation and with repugnance.
- 15 (d) Women are made fun of and sexually objectified. There is even an ongoing e-mail chain
16 of “Riot Games Hottest Women Employees” which rates the “hotness” of each female
17 on the list.
- 18 (e) Women are required to participate and tolerate crude male humor, which include jokes
19 about sex, defecation, masturbation, rape, and torture. Women who do not
20 join in these adolescent humor jokes, are classified as “snobby” and unwilling to
21 fit in with the company. During a single month, Ms. Negrón counted that the
22 word “dick” was used in excess of 500 times by male employees at Riot Games.
- 23 (f) Women are required to participate in online gaming where they are routinely harassed
24 and demeaned by other players. Female players must therefore be subjected to internal
25 and external harassment as part of their working conditions.

26 17. During the hiring process, Riot Games looks for “core gamers,” predominantly
27 male individuals described as “video game fans, specifically hardcore video game fans.”

28 However, men are assumed to be core gamers, whereas women are assumed to not be core

1 gamers or even gamers at all. Because this hiring practice disproportionately favors men, many
2 qualified woman have been denied employment because they were not considered “core
3 gamers.” Female applicants and employees who are outspoken are considered “aggressive,” “too
4 ambitious,” and “annoying.” Indeed, Plaintiff Negron’s former supervisor Geoff Chandler once
5 told her that “diversity should not be a focal point of the design of Riot Games’ products because
6 gaming culture is the last remaining safe haven for white teen boys.” Similarly in 2015, at a
7 Global Rioter Conference, a senior producer named Steve Snow spoke to an audience that
8 included female attendees and emphasized the importance of hiring only “core gamers,” a group
9 that is comprised almost exclusively of men. In sum, Riot Games looks for women who are
10 quiet and will – literally and figuratively – “shut up and play the game.”

11 18. If a female gets a job with Riot Games, the discrimination continues through the
12 female employee’s tenure at Riot Games. During meetings and feedback sessions, female
13 employees are constantly talked over by men in meetings that comprise up to half of many Riot
14 Games’ typical workday. Ultimately, the discrimination creates a ceiling for its female
15 employees as they are denied higher pay, promotions, and leadership opportunities.

16 19. The ability to gain promotions, better job titles, and equal pay is not the only issue
17 plaguing the women of Riot Games. Female employees are exposed to ongoing sexual
18 harassment and misconduct and are subjected to retaliation for speaking out against such
19 misconduct.

20 20. As examples of the hostile work environment, female employees have endured
21 the following:

- 22 (a) There are unsolicited and unwelcome picture of male genitalia shown to employees from
23 their bosses or colleagues.
- 24 (b) A female employee discovered an e-mail chain what it would be like to “penetrate her,”
25 in which a colleague added that she would be a good target to sleep with and not call
26 again.
- 27 (c) Another female employee recalled a colleague once informed her that she was on a list
28 getting passed around by senior leaders detailing whom they would sleep with.

- 1 (d) Two former employees said they felt pressure to leave Riot Games after making their
2 concerns about gender discrimination known. One former male employee said that Riot
3 Games’ “bro culture” is more pronounced “behind closed doors.”
- 4 (e) A former employee was asked, “how big is your e-peen?” during an interview, referring
5 to measuring her video game acumen in terms of penis size.
- 6 (f) A female employee who complained about the frequent usage of the words “bitch” and
7 “pussy” in the work environment saw the conversation pivot towards her interpretations
8 of the words rather than their usage.
- 9 (g) Men telling jokes or circulating e-mails with jokes or pictures that are intended to
10 demean women’s intellect or are sexually explicit.
- 11 (h) Intentionally explaining information or ideas to women in a condescending or
12 patronizing way, also referring to as “mansplaining.”
- 13 (i) Punching, grabbing, and touching each other’s genitals as a form of a gag.
- 14 (j) Using their hands to signal gestures of male masturbation or female cunnilingus.
- 15 (k) Mimicking women blatantly in front of them.
- 16 (l) Telling stories on a daily basis about alcohol consumption and sexual conquests from
17 the night or the preceding weekend.
- 18 (m) Using their bodies to simulate “humping” another person.
- 19 (n) Expressing flatulence as a form of a joke and then laughing about it with other male
20 colleagues.
- 21 (o) The co-founder of the company, Brandon Beck, used the phrase “no doesn’t necessarily
22 mean no” as a slogan for the company during a company meeting. His comment was
23 met with laughter by many of the attendees. A male employee spoke out about the rape
24 joke, but was informed by the company’s co-founder that his time at the company was
25 limited, and he was forced to separate from the company.²
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² On August 27, 2018, former software developer and engineer Barry Hawkins published a blog post articulating the reasons for his departure, which included inappropriate behavior in the workplace, the use of sexual references and gestures, and sexist and inappropriate language about women. Mr. Hawkins’ post can be found at: <http://barryhawkins.com/blog/posts/the-story-of-why-i-left-riot-games/>.

1 (p) A former male employee was allowed to remain in a position of leadership despite
2 regularly making sexual comments in the workplace and drugging and raping another
3 Riot Games employee.

4 (q) A former vice-president routinely bragged about visiting strip clubs on work trips during
5 his seven-year tenure at Riot Games.

6 21. On August 16, 2018, a “Riot Unplugged” meeting occurred to discuss the issues
7 espoused in the *Kotaku* article. “Riot Unplugged” is a question and answer session between the
8 COO, CEO, and President of Riot Games and the employees. After the meeting, a female
9 employee sent a company-wide e-mail to Riot Games’ Los Angeles office, with a terse,
10 confident subject line reading, “That was enough for me.” This e-mail was met with a flood of
11 concerned responses from other female employees.

12 22. On August 29, 2018, 22 days after *Kotaku* published the article detailing the
13 culture of sexism at Riot Games, Defendants posted an apology blog stating the company “hasn’t
14 always been – or wasn’t – the place we promised you” and led all employees, especially women,
15 to believe that the company was going to make “big, impactful cultural changes that have yet to
16 be seen and do not make up for hundreds, if not thousands, or women affected, punished,
17 terminated, or rejected by Riot Games’ illegal employment practices.”³ At a forum with Marc
18 Merrill, a co-founder of Riot Games, Mr. Merrill admitted fault and began crying in front of an
19 audience of his employees.

20 23. On September 7, 2018, nearly a month after the original *Kotaku* article was
21 published, Daniel Klein and Mattias Lehman, two longtime Riot Games employees who were
22 outspoken advocates for gender diversity, were separated from the company. Current and former
23 employees of Riot Games believe that their exit was related to Riot Games’ controversial “PAX
24 West,” a session that was implemented to correct and atone for its discriminatory and sexist
25 culture towards women by offering resume feedback and advice to women and non-binary
26 aspiring professionals on how to enter the gaming industry. However, men were not welcome at
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3 Cecilia D’Anastasio, “We’re sorry: Riot pledges Sweeping Changes to Address Accusations of Sexism, August 29, 2018.

1 this event. Social Media reacted to his PAX West panel with strong opinions, which included
2 the following “You don’t fix your shitty corporate culture by being sexist towards men.”

3 24. After Riot Games was exposed, employees were asked not to publicly comment
4 on the controversy. However, Mr. Klein and Mr. Lehman, always strong advocates for women
5 and women’s issues, would not remain quiet and spoke out publicly through social media to
6 address Riot Games’ sexist corporate culture, including thoughts on the PAX West panel.⁴
7 Specifically Mr. Klein defended his advocacy for gender diversity at Riot Games and decried the
8 idea that “sexism against men” was occurring by standing up against harassment and
9 discrimination, especially given that men are inherently not a marginalized gender. Mr. Lehman
10 sided with Mr. Klein and felt that he was being policed by people who should instead be “calling
11 out those harassing and threatening him.” On information and believe, Mr. Lehman and Mr.
12 Klein were terminated from Riot Games.

13 25. On September 13, 2018, *Kotaku* published another article shockingly reporting
14 that the men in senior leadership roles that essentially created and cultivated Riot Games’
15 “broculture” were still employed by the company. Many former and current Rioters were
16 outraged that Mr. Klein and Mr. Lehman were separated from the company for speaking against
17 the exact perpetrators of the culture that made discrimination so prevalent at Riot Games, yet
18 there was no punishment or repercussion for the senior leadership.⁵

19 26. On October 14, 2018, the Los Angeles Times published an article detailing its
20 own investigation into Riot Games’ corporate culture by interviewing ten current and former
21 employees who said that they experienced double standards, glass-ceilings, and/or sexual
22 harassment at the company.⁶ The employees that spoke out described a “workplace where
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25 4 Cecilia D’ Anastasio, *Two Riot Employees Leave under Complicated Circumstances after PAX Session Excluding Men* [UPDATE], available
at <http://kotaku.com/two-riot-employees-leave-under-complicated-circumstance-1828886072>.

26 5 Cecilia D’ Anastasio. *Riot Games Says It Wants to Clean Up its Mess, But the People Who Made It Are Still There*, September 12, 2018,
available at <http://kotaku.com/riot-games-says-it-wants-to0clean-up-its-mess-but-the-1829013902>.

27 6 Sam Dean, *Allegations of sexism and harassment roil Riot Games, the developer of ‘League of Legends,’* October 14, 2018, available at
28 <http://www.latimes.com/business/technology/la-fit-tn-riot-games-culture-2018104-story.html>.

1 women were regularly talked over or ignored. When some women argued their points of view in
2 meetings, they were labeled hysterical or simply excluded from future meetings and
3 opportunities, while men were promoted for the same behaviors. Two women said they
4 experienced professional retaliation for asking pointed questions in Q&A sessions with senior
5 managers.” Three of the employees confirmed *Kotaku’s* report of sophomoric and sexualized
6 behavior in workplace, including a running gag that “involved male co-workers smacking one
7 another’s genitals.”

8 ***Plaintiff Jessica Negron’s Allegations***

9 27. In or around April 2015, Jessica Negron began her employment with Riot Games
10 as Assistant Content Editor making approximately \$56,000 per year. At all times relevant
11 herein, Ms. Negron was qualified to perform this job.

12 28. Approximately six months into her job with Riot Games, Ms. Negron’s manager
13 left the company and she took on the responsibility and duties of her former manager’s position,
14 but did not receive an increase in her salary or a change in her job title.

15 29. Nearly a year later, Ms. Negron still had not received the title and salary increase
16 for doing the work of her former manager that she had deserved. On information and believe,
17 the position occupied by her former manager approximately \$160,000 per year.

18 30. Throughout her time as acting manager, and on near-weekly basis, Ms. Negron
19 asked her superiors about making the job official. Ms. Negron’s supervisor, Geoff Chandler,
20 gave her open feedback about how successful she was in that role, and colleague corroborated
21 that she was being groomed for the position. However, Mr. Chandler had no intention of
22 actually promoting Ms. Negron. Instead, Ms. Negron was never even interviewed for the
23 position, while three different men were hired at various intervals for the position. The first two
24 men held the position for a couple of weeks. Ultimately, Dillon Buckner was chosen to fill the
25 role and become Ms. Negron’s new boss.

26 31. Thereafter, Ms. Negron contacted Mr. Buckner, to inform him, for the past year,
27 she has been working as and being groomed for the Content Editor role and was never
28 compensated for the position’s increased duties and responsibilities. Although Mr. Buckner was

1 empathetic to her situation, he did nothing to help her and accepted the position knowing that it
2 was a step up in his career. Instead, he questioned if the result would have been different had
3 Ms. Negron been a man.

4 32. When Ms. Negron asked Riot Games' upper management for feedback on why
5 she was never interviewed for the role, she was told that she "didn't do enough to 'take' the role
6 and they wanted to give the man who eventually took it an opportunity to take on responsibility."

7 33. Ms. Negron had to sit in a room of 50 people to hear the official announcement
8 that Mr. Buckner was leading the team. This was extremely embarrassing for Ms. Negron.
9 Female employees consoled her knotting that she was performing that role, but was passed up for
10 the formal title and pay raise because the company favored a man.

11 34. Thereafter, Ms. Negron formally complained to Human Resources, but nothing
12 was done at all.

13 35. A few months after Ms. Negron complained to Human Resources, Mr. Buckner
14 intimated to Ms. Negron that he was being pressured to terminate her employment and that, in
15 doing so; it would be a "show of strength". On information and belief, the pressure to terminate
16 Ms. Negron's employment was coming from Mr. Chandler and Bob Holtzman, Riot Games'
17 Games and E-Sports Communications consultant. In response, Ms. Negron again formally
18 complained to Human Resources, but no remedial action was taken.

19 36. Ms. Negron was then told by Mr. Chandler that he was creating a new position for
20 her on a new team, but this position would not come with a salary increase. In fact, this so-called
21 position was never actually created or offered to Ms. Negron, but simply another deflation tactic
22 employed by Mr. Chandler in an attempt to appease Ms. Negron in the short-term.

23 37. In or around February or March 2017, Ms. Negron learned that Mr. Buckner was
24 leaving his position in the department. Ms. Negron was asked to again take over the role Mr.
25 Buckner was vacating. However, Ms. Negron was told that there would be no change in her title
26 of salary, even though Mr. Buckner has been afforded a higher title and salary for doing the same
27 job. Specifically, when asked, Mr. Buckner stated, "That's not going to happen."
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1 Riot Games and has assembled a loyal following of male employees who have made Riot Games
2 their own personal fraternity house.

3 44. Mr. Poehlmann’s behavior continued to escalate and Ms. Downie reported his
4 misconduct to her immediate supervisor, Ms. Pyle. Notably, Ms. Pyle had previously confided
5 in Ms. Downie that she had a crush on Mr. Poehlmann. However, Ms. Downie trusted that the
6 proper recourse would be taken to address the harassment being perpetrated by Mr. Poehlmann.

7 45. Upon information and belief, instead of addressing these issues appropriately, Ms.
8 Pyle approached Mr. Poehlmann and told him “Gabriella thinks you have a crush on her.” Mr.
9 Poehlmann denied his misconduct and simply stated, “She’s not my type.”

10 46. Unfortunately, Mr. Poehlmann’s misconduct did not dissipate and, instead, further
11 worsened. Mr. Poehlmann began to sneak up, and lurk behind, and stand over Ms. Downie. Ms.
12 Downie feared for her safety, and told Ms. Pyle that she felt that her supervisor had not
13 appropriately addressed the wrongdoing. Ms. Pyle yelled at Ms. Downie for insinuating that she
14 did not handle Ms. Downie’s complaint sufficiently. Ms. Downie asked that her chair be moved
15 to a place less frequented by Mr. Poehlmann, and Ms. Pyle responded, “how am I supposed to do
16 that without making this a bigger issue than it really is?” Ms. Downie was hurt and stressed
17 about the lack of response to her complaints and feared that her safety and job security has been
18 compromised. Ms. Downie suffered a severe panic attack as a result of the stress. Ms. Downie
19 reported these issues to another one of her supervisors, Eric Canete, and also disclosed her panic
20 attack.

21 47. The next day, the issues with Mr. Poehlmann; Ms. Pyle’s refusal to respond to
22 Mr. Poehlmann’s misconduct; and Ms. Downie’s panic attack were escalated to the human
23 resources division at Riot Games. Ms. Downie spoke with Chris San Mateo, a talent partner at
24 Riot Games, and another employee, and submitted a written complaint about these issues. Ms.
25 Downie’s written complaint was thorough and included screenshots of text messages regarding
26 her experiences. Ms. Downie’s desk was moved to an isolated area at Riot Games, even though
27 she had done nothing wrong, and Mr. Poehlmann was still able to roam freely throughout Riot
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1 Games' facilities. Concurrently, Ms. Downie was receiving several performance reviews, each
2 of which was positive and bolstered by positive evaluations from her peers.

3 48. Once again, Ms. Downie's complaints regarding Mr. Poehlmann would go
4 unresolved and his inappropriate behavior continued. Even though Ms. Downie's desk was
5 moved to another area, Mr. Poehlmann continued to follow Ms. Downie and appear at her desk.
6 Moreover, Ms. Pyle began to behave in a hostile manner towards Ms. Downie. Fearing that the
7 harassment by Mr. Poehlmann and the resentment from Ms. Pyle would not cease, Ms. Downie
8 submitted a formal complaint regarding their respective misconduct. In her complaint, Ms.
9 Downie provided significant detail of the harassment she had endured at Riot Games and
10 included screenshots of messages confirming her experiences

11 49. On March 31, 2018, Ms. Downie was wrongfully terminated from her position at
12 Riot Games. The reason offered to her was "lack of work." However, Ms. Downie was never
13 short on work and delivered high-quality work product during her employment. The reason
14 offered to Ms. Downie for her terminated was no more than a smokescreen for Riot Games'
15 pattern and practice of preferring men over women in the workplace, especially women who
16 complain about their working conditions. Indeed, shortly after the *Kotaku* article was released,
17 Mr. Poehlmann was terminated from Riot Games. However, Mr. Poehlmann's termination does
18 not remedy the discrimination, harassment, and retaliation endured by Ms. Downie.

19 50. Since her termination, Ms. Downie has been forced to work small freelance and
20 temporary jobs. However, Ms. Downie has struggled to find work in the insulated world of
21 comic book design and the adjacent video game industry, and was forced to move out of her
22 apartment and into her parent's house.

23 ***Plaintiff Jessica Seifert's Allegations***

24 51. In or about April 2014, Ms. Seifert began her employment with Riot Games as a
25 Live Services Talent Specialist contracted through a third party contractor, Target CW, in their
26 Los Angeles, California headquarters. In or about August 2014, Ms. Seifert became a full-time,
27 salaried employee of Riot Games serving in the position of Programs Manager, Live Services
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1 Operations. Ms. Seifert later served as Product and Data Manager and Senior Talent
2 Development Programs Manager until her employment concluded on or about April 5, 2019.

3 52. Ms. Seifert is informed and believes, and based thereon alleges, that throughout
4 her employment at Riot Games, she was compensated less than her male counterparts who
5 performed substantially similar work. When Ms. Seifert complained of this disparate treatment,
6 Riot Games management justified the pay disparity based upon gender-biases, such as that her
7 male counterparts were the sole financial providers for their families, that her male colleagues
8 had spouses that were expecting newborn children, and/or that Ms. Seifert was in a personal
9 relationship with a male employee and thus did not need additional compensation.

10 53. Ms. Seifert is informed and believes, and based thereon alleges, that Riot Games
11 continued to pay her less than her male counterparts in each of the positions she held in the five
12 years of her employment with Riot Games. As a result of the continued discriminatory conduct
13 by Riot Games, Ms. Seifert registered a formal complaint of gender discrimination to Riot
14 Games' Human Resources Department and Riot Games' senior leadership. In response to her
15 formal complaint, Riot Games retaliated against Ms. Seifert by routinely raising unsubstantiated
16 criticisms of her work performance and publicly stating that Ms. Seifert "couldn't balance
17 motherhood and work."

18 54. At no time during Ms. Seifert's employment did Riot Games equalize her pay
19 with her male counterparts who performed substantially similar work.

20 55. In addition to the discriminatory pay structure and retaliatory actions of Riot
21 Games in response to Ms. Seifert's complaints of gender-based pay disparity, Ms. Seifert and her
22 female colleagues were subjected to retaliatory and harassing conduct based upon their gender
23 and complaints of harassment and discrimination. By way of example, Ms. Seifert reported an
24 instance of gender discrimination to Riot Games' Human Resources Department as well as Riot
25 Games Head of Compliance. As a result of her complaint, Ms. Seifert was publicly berated by
26 Riot Games' management for reporting to Riot Games' Head of Compliance that gender
27 discrimination was occurring.

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1 Assistant. Shortly after joining the Television Film Team, Ms. Berrin was sent to the Sundance
2 Film Festival. Upon returning from the Sundance Film Festival, Ms. Berrin was called into a
3 meeting in which her male superiors verbally accosted her. Specifically, Ms. Berrin was told
4 “not to speak unless spoken to” and to not contribute her opinions to the team. Reasonably
5 believing that the treatment she had endured was related to her gender, Ms. Berrin reported the
6 verbal berating to Riot Games’ Human Resources.

7 76. In response to Ms. Berrin’s complaint, Riot Games retained an outside law firm,
8 Seyfarth Shaw, to conduct an investigation. In March 2019, the Seyfarth Shaw attorney
9 informed Ms. Berrin that the investigation had concluded and that she would now report to a new
10 manager. Shockingly, her superiors subjected Ms. Berrin to retaliation immediately after the
11 investigation. In this regard, Ms. Berrin was excluded from meetings and email correspondence,
12 which negatively impacted her ability to perform her job.

13 77. Recognizing that she was being forced out of the Television Film Team as a result
14 of her complaint to Human Resources, Ms. Berrin sought to transfer to a different division in
15 Riot Games. Ms. Berrin was ultimately able to secure a position with the Audio/Voiceover
16 Team as an Associate Producer, albeit in a temporary capacity. During this time, Ms. Berrin was
17 informed that she would have to find full-time employment with a new team or face termination.

18 78. During her final months of employment, Ms. Berrin sought to obtain full-time
19 employment with a new team at Riot Games; however, no team would hire Ms. Berrin despite
20 her qualifications for multiple open positions. Ms. Berrin is informed and believes and based
21 thereon alleges that she was denied a full time position due to her registering complaint with
22 Human Resources. In fact, Riot Games colleagues informed Ms. Berrin that registering a
23 complaint with Human Resources was a “death sentence,” a premonition that came true.

24 79. Throughout Ms. Berrin’s employment at Riot Games, male employees at Riot
25 Games who were contracted through Target CW were routinely converted to full-time Riot
26 Games employees while female employees contracted through Target CW were either denied
27 full-time status or had their conversion to full-time status substantially delayed. As a result of
28 the discriminatory failure to convert female contractors to full-time status, including Ms. Berrin,

1 female employees received less compensation than their male counterparts, including being
2 excluded from incentive based compensation.

3 **CLASS ACTION ALLEGATIONS**

4 80. Plaintiffs bring the first through sixth and eight causes of action on behalf of
5 themselves, where applicable, and on behalf of the following proposed (“Class”)

6 All current or former female employees and female individuals hired by a
7 temporary agency contractor to work at Riot, who have not signed general
8 releases, who worked in California from November 6, 2014 through the date of
9 Preliminary Approval. Female is defined as: (a) any person who has self-
10 identified as female according to available records; (b) any person who has not-
11 self identified as female to available records, but has a “female-identifying name”
12 as independently determined by the settlement administrator, and/or any person
13 who has not self-identified as female according to available records, but contracts
14 the settlement administrator to state that they self-identify as female

15 81. Alternatively, Plaintiffs bring the first through sixth causes of action, separately,
16 on behalf of themselves, where applicable, and on behalf of the following proposed subclasses
17 (“Subclasses”):

- 18 (a) Subclass 1: All female Riot employees, who have not signed general releases who
19 worked in California from November 6, 2014 through the trial of this matter.
- 20 (b) Subclass 3: All female individuals who were hired by a Temporary Agency Contractor
21 to work at Riot to perform administrative, technology, artistic, or production related
22 tasks typically performed within the premises of Riot, who have not signed general
23 releases, who worked in California from November 6, 2014 through the trial of this
24 matter, where Temporary Agency Contractor is defined as: A third-party entity that
25 supplies Riot with workers, where such third-party entity is regularly engaged in the
26 business of providing staff augmentation services; for clarity, this does not include third-
27 party entities who are independently engaged in the business of providing specialized
28 service offerings.

82. This action is appropriately suited for a class action pursuant to *California Code
of Civil Procedure* § 382 because there exists an ascertainable and sufficiently numerous Class
and/or Subclasses, a well-defined community of interest, and substantial benefits from
certification that render proceeding as a class superior to the alternatives.

1 83. Numerosity and Ascertainability: The size of the Class and/or Subclasses makes
2 a class action both necessary and efficient. The proposed Class includes hundreds of current and
3 former female Riot Games employees located across California. Members of the Class and/or
4 Subclasses are ascertainable through Riot Games’ records, but are so numerous that joinder of all
5 individual class members would be impractical.

6 84. Predominant Common Questions of Law and Fact: Common questions of law
7 and fact affecting the rights of all Class and/or Subclasses predominate over any individualized
8 issues. These common questions include, but are not limited to:

- 9 (a) Whether Riot Games has a systemic policy and/or practice of willfully paying its female
10 employees at rates lower than those paid to its male employees performing substantially
11 or equal to similar work under similar conditions, in violation of California *Labor Code*
12 § 1197.5, *et seq.*;
- 13 (b) Whether Riot Games has a systemic policy and/or practice of willfully assigning and
14 channeling women to lower paying job positions, job ladders, and salary levels than its
15 male employees, in violation of California *Labor Code* § 1197.5, *et seq.*;
- 16 (c) Whether Riot Games has a systemic policy and/or practice of committing adverse
17 employment actions against its female employees who engage in protected activities
18 when requesting promotions, increases in pay, or equal pay, in violation of California
19 *Labor Code* § 1197.5, *et seq.*;
- 20 (d) Whether Riot Games has a systemic policy and/or practice of committing adverse
21 employment actions against its female employees because of their gender or sex, in
22 violation of California *Government Code* § 12940(a), *et seq.*;
- 23 (e) Whether Riot Games has a systemic policy and/or practice of permitting harassment of
24 its female employees because of their gender or sex, in violation of California
25 *Government Code* § 12940(j)(1), *et seq.*;
- 26 (f) Whether Riot Games has a systemic policy and/or practice of committing adverse
27 employment actions against its female employees for engaging in protected activities
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1 when lodging complaints and/or requesting promotions, increases in pay, or equal pay,
2 in violation of California *Government Code* § 12940(h), *et seq.*;

3 (g) Whether Riot Games has a systemic policy and/or policy of failing to prevent
4 discrimination, harassment, and/or retaliation against its female employees because of
5 their gender or sex, in violation of California *Government Code* § 12940(k) *et seq.*; and

6 (h) Whether Riot Games has a systemic policy and/or practice of unlawful, unfair, or
7 fraudulent business activities which allow it to unfairly compete in the marketplace

8 85. Typicality: Plaintiffs’ claims are typical of the Class and/or Subclasses’ Equal
9 Pay Act claims because Plaintiffs are women who are or were employed by Riot Games in
10 California during the Class Period and were denied promotions and/or paid less than their male
11 counterparts for substantially equal or similar work. Plaintiffs’ claims are typical of the Class
12 and/or the Subclasses’ Fair Employment & Housing Act claims of women were denied
13 promotions and/or paid less than their male counterparts of substantially equal of similar work
14 and/or discriminated, retaliated, or harassed because of their gender or sex.

15 86. Adequacy of Representation: Plaintiffs will fairly and adequately represent the
16 interest of the Class and/or Subclasses, and because their individuals interests are consistent
17 with, and not antagonistic to, the interests of the Class and/or Subclasses, and because Plaintiffs
18 have retained counsel who have the requisite resources and ability to prosecute this case as a
19 class action and are experienced labor and employment attorneys who have successfully litigated
20 other cases involving similar issues, including in class actions.

21 87. Superiority of Class Mechanism: Class certification is appropriate because
22 common questions of law and fact predominate over any questions affecting only individual
23 Class and/or Subclasses. Riot Games’ liability in this case is based on uniform company policies
24 and procedures applicable to all employees. The compensation that Riot Games owes to each
25 individual Class member is small in relation to the expense and burden of individual litigation to
26 recover that compensation. The prosecution of separate actions against Riot Games by
27 individual Class and/or Subclasses could create a risk of inconsistent or varying adjudications,
28 which could establish incompatible standards of conduct for Riot Games. A class action is

1 superior to other available methods for the fair and efficient adjudication of the controversy set
2 forth herein.

3 **JURISDICTION AND VENUE**

4 88. The events causing damage to Plaintiffs, as described in this Complaint, all
5 occurred within the City of Los Angeles, County of Los Angeles, State of California, which is
6 within the jurisdictional boundaries of the Superior Court of the County of Los Angeles.

7 89. This Court has jurisdiction over this matter because Defendant Riot Games is a
8 corporation that maintains its headquarters in Los Angeles, California, is licensed to do business
9 in California, regularly conducts business in California, and committed and continues to commit
10 the unlawful acts alleged herein California.

11 90. Venue is proper in this Court pursuant to California *Code of Civil Procedure* §
12 395.5. Riot Games has an office in Los Angeles, which is where many Class and/or Subclasses
13 have worked and continue to work. Riot Games' obligation to pay its female employees equally
14 to its male employees, and its liability for failing to do so, and any retaliatory acts related to Riot
15 Games' unfair and/or unlawful employment practices, therefore arise in the County of Los
16 Angeles.

17 91. Pursuant to California *Code of Civil Procedure* § 382, Plaintiffs bring these
18 claims individually and as a class action on behalf of a class of current and former employees of
19 Riot Games and who were forced out for asking for promotions or salary increases or were not
20 equally paid for substantially similar work based on gender, at any time four years prior to the
21 filing of this Complaint.

22 92. This action is not subject to the Federal Class Action Fairness Act.

23 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

24 93. On or about December 27, 2018, Plaintiff Gabriela Down exhausted her
25 administrative remedies by timely requesting that the California Department of Fair Employment
26 and Housing ("DFEH") grant her the "Right to Sue" the named Defendants on the allegations set
27 forth herein. On or about December 27, 2018, the DFEH issued a "Right to Sue" letter to
28 Plaintiff Gabriella Downie granting her the right to sue the Defendants identified herein.

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102. Plaintiffs and the Class and/or Subclasses should be awarded all legal and equitable remedies, including wages, liquidated damages, and reasonable attorneys’ fees under California *Labor Code* § 1197.5 and California *Code of Civil Procedure* § 1021.5.

103. Plaintiffs and the Class and/or Subclasses are also entitled to civil penalties pursuant to California *Labor Code* § 1197.5 and 2699(f).

104. The aforementioned acts were committed by Defendants, and each of them, by and through their respective officers, directors, managing agents, agents and/or representatives and/or were known to, aided, abetted, authorized by, ratified by and/or otherwise approved by their respective officers, directors, managing agents and/or representatives. The above acts of Defendants, and each of them, were despicable and committed knowingly, willfully, fraudulently, and/or maliciously, with the intent to harm, injure, vex, annoy, and oppress Plaintiffs and the Class and/or Subclasses and with a conscious disregard of their rights. By reason thereof, Plaintiffs and the Class and/or Subclasses seek punitive and exemplary damages from the named Defendants in an amount to be proven at trial.

SECOND CAUSE OF ACTION

Discrimination & Retaliation in Violation of California’s Equal Pay Act (California Labor Code § 1197.5 (k), et seq.)

(By All Plaintiffs and the Class and/or Subclasses Against All Defendants)

105. Plaintiffs reallege and incorporate by reference as though fully set forth herein, each and every allegation contained in Paragraphs 1 through 104 of this Complaint.

106. Plaintiffs and the Class and/or Subclasses suffered discrimination and retaliation because of their protected activities in violation of California *Labor Code* § 1197.5(k), including with respect to their requests for promotions, increased compensation, and/or equal pay.

107. Plaintiffs and the Class and/or Subclasses’ protected activities were responded to by Defendants with denied promotions, refusals to provide increased compensation or equal pay, demotions, reassignment with significantly different responsibilities, losses of benefits, suspensions, terminations, and other adverse employment actions.

1 108. Plaintiffs and the Class and/or Subclasses’ protected activities were substantial
2 motivating factors for the adverse employment actions.

3 109. As a direct, proximate, and legal result of Defendants’ aforesaid wrongful
4 conduct, Plaintiffs and the Class and/or Subclasses have been harmed in that they have suffered
5 the loss of past and future wages and earnings, benefits, and such additional amounts of money
6 they would have received if Defendants had not committed the adverse employment actions. As
7 a result of such discrimination and retaliation and their consequences, Plaintiffs and the Class
8 and/or Subclasses have suffered additional economic harm and damages, to be stated according
9 to proof at trial.

10 110. As a result of Defendants’ conduct as alleged herein, Plaintiffs and the Class
11 and/or Subclasses have been required to retain counsel to represent them. Plaintiffs and the
12 Class and/or Subclasses will continue to incur attorneys’ fees and costs in an amount within the
13 jurisdictional limit of this Court. Plaintiffs and the Class and/or Subclasses are therefore entitled
14 to an award based on the reasonable attorneys’ fees necessarily incurred in the preparation and
15 prosecution of this action, in an amount to be stated according to proof at trial.

16 111. The aforementioned acts were committed by Defendants, and each of them, by
17 and through their respective officers, directors, managing agents, agents and or/representatives
18 and/or were known to, aided, abetted, authorized by, ratified by and/or otherwise approved by
19 their respective officers, directors, managing agents and/or representatives. The above acts of
20 Defendants, and each of them, were despicable and committed knowingly, willfully,
21 fraudulently, and or/maliciously, with the intent to harm, injure, vex, annoy, and oppress Plaintiff
22 Downie and the Class and/or Subclasses seek punitive and exemplary damages from the named
23 Defendants in an amount to be proven at trial.

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THIRD CAUSE OF ACTION

**Sex/ Gender Discrimination in Violation of *California Government Code § 12940, et seq.*
(By Plaintiffs Downie, Rivera, Seifert, Berrin and the Class and/or Subclasses Against all
Defendants)**

112. Plaintiffs Downie, Rivera, Seifert and Berrin reallege and incorporate by reference as though fully set forth herein, each and every allegation contained in Paragraphs 1 through 111 of this Complaint.

113. At all relevant times, *Government Code § 12940(a)* was in full force and effect and was binding upon Defendants. *Government Code § 12940(a)* prohibits Defendants from discriminating against any employee on the basis of sex or gender.

114. At all relevant times, Plaintiffs Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses were female and therefore members of a protected group, pursuant to *California Government Code §§ 12926, 12945*.

115. At all relevant times, Plaintiffs Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses performed their job duties with exceptional results.

116. Upon information and belief, Plaintiffs Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses were subjected to unlawful discrimination by Defendants, and each of them, because they are women. Plaintiff Plaintiffs Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses' sex and/or gender were motivating reasons for the harassment, discrimination, and retaliation alleged herein.

117. Plaintiff Plaintiffs Downie, Rivera, Seifert and Berrin are informed and believe, and thereupon allege that, at all relevant times, Defendants had in place policies and procedures that specifically prohibited discrimination based on sex and/or gender, retaliation based on complaints about discriminatory practices based on sex/or gender, and sexual harassment against and upon employees of Defendants. Plaintiffs Downie, Rivera, Seifert and Berrin allege that those same policies required Defendants' employees, managers, officers, and agents to prevent such same illegal conduct.

1 118. However, Defendants, and each of them, failed to implement and/or enforce their
2 respective anti-discrimination policies. Instead, Defendants further discriminated against
3 Plaintiff Downie and the Class and/or Subclasses by preferring men in the workplace,
4 particularly with respect their hiring, promotions, and compensation, and by responding to male
5 employees' grievances and complaints swiftly and thoroughly, as compared to female
6 employees' grievances and complaints, which were more likely to be disregarded, not
7 investigated, or mishandled.

8 119. As a direct, proximate, and legal result of Defendants' aforesaid wrongful
9 conduct, Plaintiffs Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses have been
10 harmed in that they have suffered the loss of past and future wages and earnings, benefits, and
11 such additional amounts of money they would have received if Defendants had not discriminated
12 against them. As a result of such discrimination and its consequences, Plaintiffs Downie, Rivera,
13 Seifert and Berrin and/or the Class and/or Subclasses have suffered additional economic harm
14 and damages, to be stated according to proof at trial.

15 120. The acts of Defendants as alleged herein have been reckless and/or intentional, in
16 that Defendants, in conscious disregard of Plaintiffs Downie, Rivera, Seifert and Berrin and the
17 Class and/or Subclasses' rights, acted so as to cause each of them to suffer a loss of employment
18 benefits and suffer the injury, humiliation, embarrassment, emotional distress and hardship
19 alleged herein. As a direct and proximate result, Plaintiffs Downie, Rivera, Seifert and Berrin
20 and the Class and/or Subclasses did suffer and still do suffer emotional distress, anxiety, stress,
21 and worry because of Defendants' conduct. Accordingly, Plaintiffs Downie, Rivera, Seifert and
22 Berrin and the Class and/or Subclasses are entitled to recover general damages against said
23 Defendants in a sum in excess of the minimum jurisdictional limits of this Court, in an amount to
24 be stated according to proof at trial.

25 121. As a result of Defendants' conduct as alleged herein, Plaintiffs Downie, Rivera,
26 Seifert and Berrin and the Class and/or Subclasses have been required to retain counsel to
27 represent their interests. Plaintiffs Downie, Rivera, Seifert and Berrin and the Class and/or
28 Subclasses will continue to incur attorneys' fees and cost in an amount within the jurisdictional

1 would have been offensive to a reasonable person in Plaintiffs Downie, Rivera, Seifert and
2 Berrin and the Class and/or Subclasses' circumstances.

3 126. Furthermore, by failing to conduct a reasonable investigation and not taking
4 proper remedial action following Plaintiffs Downie, Rivera, Seifert and Berrin and the Class
5 and/or Subclasses and the Class and/or Subclasses' complaints, Defendants ratified the unlawful
6 conduct of their manager and supervisors.

7 127. As a direct, proximate, and legal result of Defendants' aforesaid wrongful
8 conduct, Plaintiffs Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses and the
9 Class and/or Subclasses have been harmed in that they have suffered the loss of past and future
10 wages and earnings, benefits, and such additional amounts of money they would have received if
11 Defendants had not harassed them. As a result of such harassment and its consequences,
12 Plaintiffs Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses and/or Subclasses
13 have suffered additional economic harm and damages, to be stated according to proof at trial.

14 128. The acts of Defendants as alleged herein have been reckless and/or intentional, in
15 that the Defendants, in conscious disregard of Plaintiffs Downie, Rivera, Seifert and Berrin and
16 the Class and/or Subclasses and the Class and/or Subclasses' rights, acted so as to cause each of
17 them to suffer a loss of employment benefits and to suffer the injury, humiliation,
18 embarrassment, emotional distress and hardship alleged herein. As a direct and proximate result,
19 Plaintiffs Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses and the Class/or
20 Subclasses did suffer and still do suffer emotional distress, anxiety, and worry because of
21 Defendants' conduct. Accordingly, Plaintiffs Downie, Rivera, Seifert and Berrin and the Class
22 and/or Subclasses and the Class and/or Subclasses are entitled to recover general damages
23 against said Defendants in sum in excess of the minimum jurisdictional limits of this Court, in an
24 amount to be stated according to proof at trial.

25 129. As a result of Defendants' conduct as alleged herein, Plaintiffs Downie, Rivera,
26 Seifert and Berrin and the Class and/or Subclasses and the Class and/or Subclasses have been
27 required to retain counsel to represent their interests. Plaintiffs Downie, Rivera, Seifert and
28 Berrin and the Class and/or Subclasses and the Class and/or Subclasses will continue to incur

1 attorneys' fees and costs in an amount within the jurisdictional limits of this Court. Plaintiffs
2 Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses and the Class and/or
3 Subclasses are therefore entitled to an award based on the reasonable attorneys' fees necessarily
4 incurred in the preparation and prosecution of this action, pursuant to *Government Code* §
5 12965(b), which will be stated according to proof at trial.

6 130. The aforementioned acts were committed by Defendants, and each of them, by
7 and through their respective officer, directors, managing agents, and/ or representatives and/or
8 were known to, aided, abetted, authorized by, ratified by and/or otherwise approved by their
9 respective officers, directors, managing agents, and/or representatives. The above acts of
10 Defendants, and each of them, were despicable and committed knowingly, willfully,
11 fraudulently, and/or maliciously, with the intent to harm, injure, vex, annoy, and oppress Plaintiff
12 Downie and the Class and/or Subclasses and with a conscious disregard of their rights. By
13 reasons thereof, Plaintiff Downie and the Class and/or Subclasses seek punitive and exemplary
14 damages from the named Defendants in an amount to be proven at trial.

15 **FIFTH CAUSE OF ACTION**

16 ***Retaliation in Violation of California Government Code § 12940, et seq.***

17 **(By Plaintiffs Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses and the**
18 **Class Against All Defendants)**

19 131. Plaintiffs Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses
20 reallege and incorporate by reference as though fully set forth herein, each and every allegation
21 contained in Paragraphs 1 through 130 of this complaint.

22 132. At all times relevant for the purposes of this complaint, the FEHA, California
23 *Government Code* § 12940, *et seq.* was in full force and effect and binding on Defendants.

24 133. It is an unlawful employment practice to discharge, expel, or otherwise
25 discriminate against any person because the person has opposed any practices protected under
26 California *Government Code* § 12940(h). Plaintiffs Downie, Rivera, Seifert and Berrin and the
27 Class and/or Subclasses and the Class and/or Subclasses engaged in protected activities including
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1 but not limited to, lodging complaints, requesting equal pay or increased compensation, and/or
2 requesting promotions.

3 134. As a result of engaging in protected activity, Plaintiffs Downie, Rivera, Seifert
4 and Berrin and the Class and/or Subclasses and the Class and/or Subclass suffered denied
5 promotions, refusals to provide increased compensation or equal pay, demotions, reassignment
6 with significantly different responsibilities, losses of benefits, suspensions, terminations, and
7 other adverse employment actions.

8 135. The adverse employment actions were substantially motivated by Plaintiffs'
9 Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses and the Class and/or
10 Subclasses' protected activities.

11 136. As a direct, proximate, and legal result of Defendants' aforesaid wrongful
12 conduct, Plaintiffs Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses and the
13 Class and/or Subclasses have been harmed in that they have suffered the loss of past and future
14 wages and earnings, benefits, and such additional amounts of money they would have received if
15 Defendants had not retaliated against them. As a result of such retaliation and its economic
16 consequences, Plaintiffs Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses
17 and/or the Class and/or Subclasses have suffered additional economic harm and damages, to be
18 stated according to proof at trial.

19 137. The acts of Defendants as alleged herein have been reckless and/or intentional in
20 that Defendants, in conscious disregard of Plaintiffs' Downie, Rivera, Seifert and Berrin and the
21 Class and/or Subclasses and the Class and or Subclasses' rights, acted so as to cause each of
22 them to suffer a loss of employment benefits and to suffer the injury, humiliation,
23 embarrassment, emotional distress and hardship alleged herein. As a direct and proximate result,
24 Plaintiffs Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses and the Class
25 and/or Subclasses did suffer and still do suffer emotional distress, anxiety, stress, and worry
26 because of Defendants' conduct. Accordingly, Plaintiffs Downie, Rivera, Seifert and Berrin and
27 the Class and/or Subclasses and the Class and/or Subclasses are entitled to recover general
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1 damages against said Defendants in a sum in excess of the minimum jurisdictional limits of this
2 Court, in an amount to be stated according to proof at trial.

3 138. As a result of Defendant's conduct as alleged herein, Plaintiffs Downie, Rivera,
4 Seifert and Berrin and the Class and/or Subclasses and the Class and/or Subclasses have been
5 required to retain counsel to represent their interests. Plaintiffs Downie, Rivera, Seifert and
6 Berrin and the Class and/or Subclasses and the Class and/or Subclasses will continue to incur
7 attorney's fees and costs in an amount within the jurisdictional limits of this Court. Plaintiff
8 Downie and the Class and/or Subclasses are therefore entitled to an award based on the
9 reasonable attorney's fees necessarily incurred in the preparation and prosecution of this action,
10 pursuant to *Government Code* § 12965(b), which amount will be stated according to proof at
11 trial.

12 139. The aforementioned acts were committed by Defendants, and each of them, by
13 and through their respective officers, directors, managing agents, agents and/or representatives
14 and/or were known to, aided, abetted, authorized by, ratified by and/or otherwise approved by
15 their respective officers, directors, managing agents and/or representatives. The above acts of
16 Defendants, and each of them, were despicable and committed knowingly, willfully,
17 fraudulently, and/or maliciously, with the intent to harm, injure, vex, annoy and oppress Plaintiff
18 Downie and the Class and/or Subclasses and with a conscious disregard of their rights. By
19 reason thereof, Plaintiff Downie and the Class and/or Subclasses seek punitive and exemplary
20 damages from the named Defendants in an amount to be proven at trial.

21 **SIXTH CAUSE OF ACTION**

22 ***Failure to Prevent Discrimination and Harassment in Violation of California Government***
23 ***Code § 12940, et seq.***

24 **(By Plaintiffs Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses and the**
25 **Class Against All Defendants)**

26 140. Plaintiffs Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses
27 reallege and incorporate by reference as though fully set forth herein, each and every allegation
28 contained in Paragraphs 1 through 139 of this Complaint.

1 141. At all times relevant for purposes of this Complaint, *Government Code* §
2 12940(k), *et seq.*, was in full force and effect and binding on Defendants. It requires Defendants
3 to, among other things, “take all reasonable steps necessary to prevent discrimination from
4 occurring.”

5 142. In perpetuating the above-described acts and failures to act, Defendants violated
6 California *Government Code* § 12940(k) by failing to take all reasonable steps necessary to
7 prevent such discrimination, harassment, and retaliation based on gender and sex from occurring.

8 143. Defendants repeatedly violated California *Government Code* § 12940(k).
9 Defendants’ acts and failures to act include but are not limited to, the following:

- 10 (a) Having no policies, practices and procedures and/or failing to implement policies,
11 practices and procedures and/or having ineffective policies, practices, and procedures
12 regarding Defendants’ obligation to refrain from harassment of discrimination;
13 (b) Having no policies, practices, and procedures and/or failing to implement policies,
14 practices and procedures and/or having ineffective policies, practices and procedures
15 regarding the handling of complaints or harassment or discrimination;
16 (c) Failing to investigate when harassment or discrimination was reported, despite there
17 being such reports;
18 (d) Failing to provide any and/or adequate training, education, or information to their
19 personnel, and most particularly to management and supervisory personnel with regard
20 to policies and procedures regarding preventing harassment or discrimination; and
21 (e) Failing to appoint a qualified, neutral third party to investigate an employee’s
22 allegations.

23 144. During the entire relevant period, Defendants failed to take all reasonable steps to
24 prevent discrimination or harassment and such discrimination or harassment was condoned,
25 encouraged, tolerated, sanctioned, and ratified.

26 145. As a direct, proximate, and legal result of Defendant’s aforesaid wrongful
27 conduct, Plaintiffs Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses and the
28 Class and/or Subclasses have been harmed in that they have suffered the loss of past and future

1 wages and earnings, benefits, and such additional amounts of money they would have received if
2 Defendants had not retaliated against them. As a result of such retaliation and its consequences,
3 Plaintiffs Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses and/or the Class
4 and/or Subclasses have suffered additional economic harm and damages, to be stated according
5 to proof at trial.

6 146. The acts of Defendants as alleged here in have been reckless and/or intentional, in
7 that Defendants, in conscious disregard to Plaintiffs Downie, Rivera, Seifert and Berrin and the
8 Class and/or Subclasses and the Class and/or Subclasses' rights, acted so as to cause each of
9 them to suffer an loss of employment benefits and to suffer the injury, humiliation, emotional
10 distress, and hardship alleged herein. As a direct and proximate result, Plaintiffs Downie,
11 Rivera, Seifert and Berrin and the Class and/or Subclasses and the Class and/or Subclasses did
12 suffer and still do suffer emotional distress, anxiety, stress, and worry because of Defendants'
13 conduct. Accordingly, Plaintiffs Downie, Rivera, Seifert and Berrin and the Class and/or
14 Subclasses and the Class and/or Subclasses are entitled to recover general damaged against said
15 Defendants in a sum in excess of the minimum jurisdictional limits of this Court, in an amount to
16 be stated according to proof at trial.

17 147. As a result of Defendants' conduct as alleged herein, Plaintiffs Downie, Rivera,
18 Seifert and Berrin and the Class and/or Subclasses and the Class and/or Subclasses have been
19 required to retain counsel to represent their interests. Plaintiffs Downie, Rivera, Seifert and
20 Berrin and the Class and/or Subclasses and the Class and/or Subclasses will continue to incur
21 attorney's fees and costs in an amount within the jurisdictional limits of this Court. Plaintiffs
22 Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses and the Class and/or
23 Subclasses are therefore entitled to an award based on the reasonable attorneys' fees necessarily
24 incurred in the preparation and prosecution of this action, pursuant to *Government Code* §
25 12650(b), which amount will be stated according to proof at trial.

26 148. The aforementioned acts were committed by Defendants, and each of them, by
27 and through their respective officers, directors, managing agents, and or/representatives and/or
28 were known to, aided, abetted, authorized by, ratified by and/or otherwise approved by their

1 respective officers, directors, managing agents and/or representatives. The above acts of
2 Defendants, and each of them, were despicable and committed knowingly, willfully,
3 fraudulently, and/or maliciously, with the intent to harm, injure, vex, annoy, and oppress
4 Plaintiffs Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses and the Class
5 and/or Subclasses and with a conscious disregard of their rights. By reason thereof, Plaintiffs
6 Downie, Rivera, Seifert and Berrin and the Class and/or Subclasses and the Class and/or
7 Subclasses seek punitive and exemplary damages from the named Defendants in an amount to be
8 proven at trial.

9 **SEVENTH CAUSE OF ACTION**

10 *Violations of Unfair Competition Law pursuant to Business & Professions Code § 17200, et*
11 *seq.*

12 **(By All Plaintiffs and the Class and/or Subclasses Against All Defendants)**

13 149. Plaintiffs and the Class and/or Subclasses reallege and incorporate by reference as
14 though fully set forth herein, each and every allegation contained in Paragraphs 1 through 148 of
15 this Complaint.

16 150. California *Business & Professions Code § 17200 et seq.* prohibits any unlawful,
17 unfair, or fraudulent business act or practice.

18 151. Plaintiffs bring this cause of action in any representative capacity on behalf of the
19 general public and the Class and/or Subclasses. Plaintiffs and the Class and/or Subclasses have
20 suffered and continue to suffer injury in fact and deprivation of wages and monies as a result of
21 Defendants' actions

22 152. The actions of Defendants, as alleged herein, amount to conduct which is
23 unlawful and in violation of law. As such, such conduct constitutes unfair business practices, in
24 violation of *Business & Professions Code § 17200, et seq.*

25 153. Defendants' conduct as herein alleged has damaged Plaintiffs and the Class
26 and/or Subclasses by denying them equal pay, promotions, increased compensation, and a
27 working environment free of discrimination, harassment, and retaliation. Defendants' actions are
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1 thus substantially damaging to Plaintiffs and the Class and/or Subclasses, causing them injury in
2 fact and loss of money.

3 154. As a result of such conduct, Defendants have unlawfully and unfairly obtained
4 monies owed to Plaintiffs and the Class and/or Subclasses.

5 155. The proposed Class and/or Subclasses can be identified by reference to payroll
6 and related records in the possession of Defendants. The amount of wages due to Plaintiffs and
7 the Class and/or Subclasses can be readily determined from Defendants' records and/or proper
8 scientific and/or expert evidence. Plaintiffs and the proposed Class and/or Subclasses are
9 entitled to restitution of monies due and obtained by Defendants during the Class Period as a
10 result of Defendants' unlawful and unfair conduct.

11 156. During the Class Period, Defendants committed and continue to commit acts of
12 unfair competition as defined by *Business & Professions Code* § 17200, *et seq.*, by and among
13 other things, engaging in the acts and practices described above.

14 157. Defendants' course of conduct, acts, and practices in violation of the California
15 laws and regulations, as mentioned in each paragraph above, constitute distinct, separate, and
16 independent violations of *Business & Professions Code* § 17200, *et seq.*

17 158. The harm to Plaintiffs and the class and/or Subclasses of being wrongfully denied
18 equal pay, promotions, increased compensation, and a working environment free of
19 discrimination, harassment, and retaliation, outweighs the utility, if any, of Defendants' policies
20 and practices, and therefore, Defendants' actions described herein constitute unfair business
21 practices or acts within the meaning of *Business & Professions Code* § 17200, *et seq.*

22 159. Defendants' conduct described herein threatens an incipient violation of
23 California's labor laws, and/or violates the policy or such spirit of such laws, or otherwise
24 significantly threatens or harms competition.

25 160. Defendants' course of conduct described herein further violates *Business &*
26 *Professions Code* § 17200, *et seq.* in that it is fraudulent, improper, and/or unfair.

27 161. The unlawful, unfair, and fraudulent business practices and acts of Defendants as
28 described hereinabove have injured Plaintiffs and the Class and/or Subclasses in that they were

1 wrongfully denied equal pay, promotions, increased compensation, and a working environment
2 free of discrimination, harassment, and retaliation.

3 162. Defendants have been unjustly enriched as a direct result of their unlawful
4 business practices alleged in this complaint and will continue to benefit from those practices and
5 have an unfair competitive advantage if allowed to continue such practices. Under *Business &*
6 *Professions Code* § 17200, *et seq.* Plaintiffs and the Class and/or Subclasses seek restitution of
7 all monies not paid to them by Defendants.

8 163. Plaintiffs and the Class and/or Subclasses have no plain, speedy, or adequate
9 remedy at law as Defendants, unless enjoined by the Order of this Court, will continue to
10 systematically violate the provisions of the *Labor Code* and *Government Code* referenced herein.
11 Defendants’ conduct is continuing, ongoing, capable of repetition, and will continue unless
12 retrained and enjoined by the Court. Accordingly, injunctive relief is proper and necessary
13 pursuant to California *Business & Professions Code* § 17203.

14 164. Plaintiffs and the Class and/or Subclasses’ efforts in securing the requested relief
15 will result “in the enforcement of an important right affecting the public interest” for “(a)
16 significant benefit, whether pecuniary or non-pecuniary, has been conferred on...a large class of
17 persons, (b) necessity and financial burden of private enforcement...are such to make the award
18 appropriate, and (c) such fees should not in the interest of justice be paid out the recovery, if
19 any.” Plaintiffs and the Class and/or Subclasses request that the Court also award reasonable
20 attorneys’ fees pursuant to the provisions of California *Code of Civil Procedure Code* § 1021.5.

21 165. Plaintiffs and the Class and/or Subclasses seek remedies and penalties pursuant to
22 California *Business & Professions Code* § 17205, which are cumulative to the remedies and
23 penalties available under other laws of this state.

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EIGHTH CAUSE OF ACTION

Civil Penalties under the Private Attorneys General Act

(Labor Code §§ 2698, et seq.,)

(By All Plaintiffs and the Class and/or Subclasses Against All Defendants)

166. Plaintiffs and the Class and/or Subclasses reallege and incorporate by reference as though fully set forth herein, each and every allegation contained in Paragraphs 1 through 165 of this Complaint.

167. Under *Labor Code* § 2699, any current or former employee aggrieved by an employer’s violation of the *Labor Code* has the right to file an action on behalf of all aggrieved employees for the penalties established by *Labor Code* § 2699 and/or other *Labor Code* sections.

168. Plaintiffs claim all penalties permitted by the Private Attorneys General Act of 2004 (“PAGA”) *Labor Code* § 2698, *et seq.*, and have complied with the procedures for bringing suit specified by *Labor Code* § 2699.3. On November 6, 2018, March 30, 2020 and April 17, 2020, Plaintiffs gave written notice to the Labor Workforce Development Agency (“LWDA”), and Defendants, of the specific provisions of the *Labor Code* alleged to have been violated, including the facts and theories to support the alleged violations. At least 65 days have elapsed since the notice to the LWDA and no action has been taken by the LWDA.

169. Defendants have violated *Labor Code* § 1197.5(a) by failing to pay their female employees at a rate equal to their male employees for performing substantially similar work with respect to their skill, effort, and responsibility and under similar working conditions.

170. Defendants have also violated *Labor Code* § 1197.5(k) by discriminating and retaliating against Plaintiffs because of their protected activities, including with respect to their request for promotions, increased compensation, and/or equal pay.

171. *Labor Code* § 1197.5(a) prescribes:

An employer shall not pay any of its employees at a wage rate less than the rates paid to employees of the opposite sex for substantially similar work, when viewed as a composite of skill, effort, and responsibility, and performed under similar working conditions, except where the employer demonstrates:

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- (1) The wage differential is based upon one or more of the following factors:
 - (A) A seniority system.
 - (B) A merit system.
 - (C) A system that measures earnings by quantity or quality of production.
 - (D) A bona fide factor other than sex, such as education, training, or experience. This factor shall apply only if the employer demonstrates that the factor is not based on or derived from a sex-based differential in compensation, is job related with respect to the position of this subparagraph, “business necessity” means an overriding legitimate business purpose such that the factor relied upon effectively fulfills the business purpose such that the factor relied upon effectively fulfills the business purpose it is supposed to serve. This defense shall not apply if the employee demonstrates that an alternative business practice exists that would serve the same business purpose without producing the wage differential.

172. *Labor Code* § 1197.5(k) prescribes:

- (1) An employer shall not discharge, or in any manner discriminate or retaliate against, any employee by reason of any question taken by any question taken by the employee to invoke or assist in any many the enforcement of this section. An employer shall not prohibit an employee from disclosing the employee’s own wages, discussing the wages of others, inquiring about another employee’s wages, or aiding or encouraging any other employee to exercise his or her rights under this section. Nothing in this section creates an obligation to disclose wages.
- (2) Any employee who has been discharged, discriminated or retaliated against, in the terms and conditions of his or her employment because the employee engaged in any conduct delineated in this section may recover in a civil action reinstatement and reimbursement for lost wages and work benefits caused by the acts of the employer, including interest thereon, as well as appropriate equitable relief.
- (3) A civil action brought under this subdivision may be commenced no later than one year after the cause of action occurs.

173. *Labor Code* § 210 prescribes:

- (a) In addition to, and entirely independent and apart from, any other penalty provided in this article, every person who fails to pay the wages of each employee as provided in Sections 201.3, 204, 204b, 204.1, 204.2, 205, 205.5, and 1197.5, shall be subject to a civil penalty as follows:
 - (1) For any initial violation, one hundred dollars (\$100) for each failure to pay each employee.

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(2) For each subsequent violation, or any willful or intentional violation, two hundred dollars (\$200) for each failure to pay each employee, plus 25 percent of the amount unlawfully withheld.

(b) The penalty shall be recovered by the Labor Commissioner as part of a hearing held to recover unpaid wages and penalties pursuant to this chapter or in an independent civil action. The action shall be brought in the name of the people of the State of California and the Labor Commissioner and the attorneys thereof may proceed to act for and on behalf of the people bring these actions. Twelve and one-half percent of the penalty recovered shall be paid into a fund within the Labor and Workforce Development Agency dedicated to educating employers about state labor laws, and the remainder shall be paid into the State Treasury to the credit of the General Fund.

174. Labor Code § 226 prescribes:
“[a]n employer to provide an accurate itemized statement in writing showing “(1) gross wages earned, (2) total hours worked by the employee, except for any employee whose compensation is solely based on a salary and who is exempt from payment of overtime under subdivision (a) of Section 515 or any applicable order of the Industrial Welfare Commission, (3) the number of piece-rate units earned and any applicable piece rate if the employee is paid on a piece-rate basis, (4) all deductions, provided that all deductions made on written orders of the employee may be aggregated and shown as one item, (5) net wages earned, (6) the inclusive dates of the period for which the employee is paid, (7) the name of the employee and only the last four digits of his or her social security number or an employee identification number other than a social security number, (8) the name and address of the legal entity that is the employer...”

175. Labor Code § 226(e) provides that if an employer knowingly and intentionally fails to provide a statement in compliance with Labor Code § 226(a), then the employee is entitled to recover the greater of actual damages of fifty dollars (\$50) for the initial violation and one hundred dollars (\$100) for each subsequent violation, up to four thousand dollars (\$4,000).

176. Labor Code § 226.3 prescribed that:
“any employer who violates subdivision (a) of Section 226 shall be subject to a civil penalty in the amount of two hundred fifty dollars (\$250) per employee per violation in an initial citation and one thousand dollars (\$1,000) per employee for each violation in a subsequent citation, for which the employer fails to provide the employee a wage deduction statement or fails to keep the records required in subdivision (a) of Section 226. The civil penalties provided for in this section are in addition to any other penalty provided by law.”

177. Riot Games’ has violated Labor Code § 1197.5 thereby resulting in Defendants knowingly and intentionally failing to furnish Claimants and all similarly situated employees

1 with timely accurate and itemized wage statements showing the appropriate gross wages earned
2 based upon their violation of Labor Code § 1197.5.

3 178. *Labor Code* §§ 201 and 202 require Defendants to pay all compensation due and
4 owing immediately at the time of discharge, layoff, or resignation made with at least seventy-two
5 (72) hours’ notice, or within seventy-two (72) hours of resignation made without seventy-two
6 (72) hours’ notice.

7 179. *Labor Code* §§ 203 prescribes:

8 “If an employer willfully fails to pay, without abatement or reduction, in
9 accordance with Sections 201, 201.3, 201.5, 201.9, 202, and 205.5, any wages of
10 an employee who is discharged or who quits, the wages of the employee shall
11 continue as a penalty from the due date thereof at the same rate until paid or until
12 an action therefor is commenced; but the wages shall not continue for more than
13 30 days. An employee who secretes or absents himself or herself to avoid
14 payment to him or her, or who refuses to receive the payment when fully tendered
15 to him or her, including any penalty then accrued under this section, is not entitled
16 to any benefit under this section for the time during which he or she so avoids
17 payment.”

18 180. Riot Games’ has violated Labor Code § 1197.5 thereby resulting in Defendants
19 willfully failure to pay Claimants and all similarly situated individuals all compensation earned
20 immediately upon termination or within seventy-two (72) hours’ notice of the employees
21 resignation.

22 181. Labor Code section 204(a) prescribes:

23 “[a]ll wages, other than those mentioned in Section 201, 201.3, 202, 204.1, or
24 204.2, earned by any person in any employment are due and payable twice during
25 each calendar month, on days designated in advance by the employer as the
26 regular paydays. Labor performed between the 1st and 15th days, inclusive, of
27 any calendar month shall be paid for between the 16th and the 26th day of the
28 month during which the labor was performed, and labor performed between the
16th and the last day, inclusive, of any calendar month, shall be paid for between
the 1st and 10th day of the following month. However, salaries of executive,
administrative, and professional employees of employers covered by the Fair
Labor Standards Act, as set forth pursuant to Section 13(a)(1) of the Fair Labor
Standards Act, as amended through March 1, 1969, in Part 541 of Title 29 of the
Code of Federal Regulations, as that part now reads or may be amended to read at
any time hereafter, may be paid once a month on or before the 26th day of the
month during which the labor was performed if the entire month’s salaries,
including the unearned portion between the date of payment and the last day of
the month, are paid at that time.”

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- promotions, advancement, and employment benefits, in excess of this Court’s minimum jurisdictional limits and according to proof;
2. For general damages for pain and suffering, mental and emotional trauma and anguish, for the loss of enjoyment of life, according to proof;
 3. For economic damages including resultant past and future medical care, job search costs, other economic damages, including incidental fees and/or other costs, and/or economic losses according to proof;
 4. For compensatory damages, as against each named Defendant, according to proof;
 5. For all wages (including base salary, bonuses, and stock) due to pursuant to California *Labor Code* § 1197.5(h) in an amount to be ascertained at trial;
 6. For statutory and civil penalties arising from the violations of California *Labor Code* alleged herein;
 7. For liquidated damages pursuant to California *Labor Code* § 1197.5(h);
 8. For punitive damages, as against each named Defendant, for the causes of actions alleged herein, according to proof;
 9. For attorneys’ fees, as provided by statute, according to proof;
 10. For an order certifying, this action as a class action;
 11. For an order appointing Plaintiffs Gabriela Downie, Jessica Negron, Jessica Seifert, Antonia Galindo, Irina Crudu, Gina Cruz Rivera, and Mayanna Berrin as Class Representatives and appointing Plaintiffs’ counsel as Class Counsel;
 12. For prejudgment interest on unpaid wages at a rate of 10% per annum pursuant to California *Labor Code* § 1197.5(h) and California *Civil Code* §§ 3287-3288, and/or any other applicable provision for prejudgment interest;
 13. For restitution of all monies due to Plaintiffs and the Class/or Subclasses members, as well as disgorgement of Defendants’ profits from its unlawful and/or unfair business practices;
 14. For preliminary and permanent injunctive relief enjoining Defendants from violating California *Labor Code* § 1197.5, *et seq.*, by paying their female

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employees lower wages than they pay their male counterparts for substantially similar work; and from engaging in the unfair and unlawful business practices complained of herein in violation of California *Business and Professions Code* § 17200, *et seq.*, by paying their female employees lower wages than they pays their male counterparts for substantially similar work; and from engaging in the unfair and unlawful business practices complained of herein in violation of California *Business & Professions Code* § 17200, *et seq.*;

15. For such further relief that the Court may deem just and proper.

DATED: June 10, 2020

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