

**FILED**  
Clerk of the Superior Court

DEC 23 2014

By   
DEPUTY CLERK

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9 DONGMI SURH

**ASSIGNED TO  
JUDGE SCOTT L. KAYE  
FOR ALL PURPOSES**

**IN THE SUPERIOR COURT OF CALIFORNIA  
IN AND FOR THE COUNTY OF SOLANO  
UNLIMITED CIVIL JURISDICTION**

11 DONGMI SURH,

12 Plaintiff,

13 v.

14 THE PERMANENTE MEDICAL GROUP,  
15 INC.; KAISER PERMANENTE  
16 INTERNATIONAL, and/or DOES 1-25,  
17 inclusive,

18 Defendants.

Case No.

**COMPLAINT**

1. Failure to Accommodate Disability in Violation of the Fair Employment and Housing Act;
2. Discrimination Based on Disability in Violation of the Fair Employment and Housing Act;
3. Retaliation in Violation of the Fair Employment and Housing Act;
4. Failure to Take Steps to Prevent and Correct Discrimination and Retaliation in Violation of the Fair Employment and Housing Act;
5. Retaliation in Violation of the California Family Rights Act;
6. Violations of California Labor Code Sections 226, 432, and 1198.5 (Failure to Provide Personnel and Pay Documents).

**DEMAND FOR JURY TRIAL**

1 **COMPLAINT**

2 Now comes DONGMI SURH, Plaintiff in this action, and files this Complaint, and further  
3 alleges as follows:

4 **Parties to the Civil Action**

5 1. Plaintiff DONGMI SURH (hereinafter referred to as "PLAINTIFF") is a female adult  
6 natural person who is and was at times mentioned herein a resident of the State of California.

7 2. PLAINTIFF is informed and believes that named Defendants THE PERMANENTE  
8 MEDICAL GROUP, INC. and/or KAISER PERMANENTE INTERNATIONAL (hereinafter  
9 collectively referred to as "DEFENDANTS") are each California Corporations doing business in the  
10 State of California, and are entities subject to suit before this Court.

11 3. PLAINTIFF asserts that DEFENDANTS were, at all times material to this  
12 Complaint, her employer.

13 4. DOES 1-25 are herein sued under fictitious names. Their true names and capacities  
14 are unknown to PLAINTIFF. PLAINTIFF is informed and believes and thereon alleges that DOES  
15 1-25 are business organizations of unknown form who were the employers of the PLAINTIFF. The  
16 true names and capacities, whether individual, corporate, associate, or otherwise, of DOES 1-25,  
17 inclusive, are unknown to PLAINTIFF, who therefore sues the DOE Defendants by fictitious names.  
18 PLAINTIFF will amend this complaint to show their true names and capacities when they have been  
19 ascertained. For the purposes of this Complaint, each use of the term "DEFENDANT" refers not  
20 only to named Defendants THE PERMANENTE MEDICAL GROUP, INC. and KAISER  
21 PERMANENTE INTERNATIONAL, but also to DOES 1-25.

22 5. PLAINTIFF is informed and believes and thereon alleges that DEFENDANTS are  
23 employer subject to suit under California Government Code Section 12900, et seq., the Fair  
24 Employment and Housing Act ("FEHA") in that DEFENDANTS are business organizations with 5  
25 or more employees doing business in the State of California.

26 6. PLAINTIFF is an "eligible employee" under the California Family Rights Act  
27 ("CFRA"), as she had been employed by DEFENDANTS for at least 12 months and had been  
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1 employed for over 1250 hours of service in the 12 month period before she requested and/or took a  
2 medical leave from her employment.

3 7. PLAINTIFF is informed and believes and thereon alleges that DEFENDANTS are  
4 "covered employers" under the California Family Rights Act ("CFRA"), as DEFENDANTS  
5 employed 50 or more people within a 75 mile radius to perform services for a salary or wage.

6 **Venue and Jurisdiction**

7 8. Venue is proper in Solano County because PLAINTIFF worked for DEFENDANTS  
8 in Solano County, the unlawful practices alleged herein were committed in Solano County, and  
9 records relevant to the alleged unlawful practices are maintained and administered in Solano County.

10 9. Subject matter in this action is properly heard in this Court, as the action incorporates  
11 an amount in controversy as set forth in the complaint which exceeds \$25,000.00.

12 10. On November 18, 2014, and within the time provided by law, PLAINTIFF filed a  
13 verified charge with the California Department of Fair Employment and Housing ("DFEH") against  
14 DEFENDANTS. She received a "Right to Sue" notice on the same date providing that PLAINTIFF  
15 had one year to bring suit. PLAINTIFF now timely brings this action.

16 **Facts Common to All Causes of Action**

17 11. PLAINTIFF worked as a Radiologist for DEFENDANTS. She commenced her  
18 employment in approximately October of 2002.

19 12. Throughout her employment, PLAINTIFF competently and diligently performed her  
20 job functions.

21 13. In 2011 and 2012, PLAINTIFF experienced ongoing pain in her right arm, and in  
22 2012, her physician diagnosed her with a disabling medical condition, and instructed her that she  
23 required job modifications/accommodations (including limited computer typing/mousing time) in  
24 order to continue performing in her position.

25 14. From approximately January of 2013 until August of 2013, DEFENDANTS  
26 accommodated PLAINTIFF's disability by permitting her to work solely on the mammography  
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1 rotation, which involved more time looking at seeing patients and performing procedures, and less  
2 time performing computer typing/mousing duties than other rotations in the Radiology department.

3 15. In approximately July of 2013, PLAINTIFF's physician recommended that she  
4 undergo surgery on her shoulder, and explained that she would likely need to be off work for three  
5 months for recovery.

6 16. PLAINTIFF informed her supervisor (Chief of Radiology Michael Hines) that she  
7 required surgery, and requested a medical/disability leave, which DEFENDANTS granted and which  
8 PLAINTIFF subsequently took.

9 17. PLAINTIFF underwent surgery on August 8, 2013.

10 18. PLAINTIFF was released to work (with modified duties including limited computer  
11 typing/mousing time) in approximately late November of 2013.

12 19. When PLAINTIFF returned to work, however, DEFENDANTS informed her that she  
13 would no longer be permitted to work solely on the mammography rotation (which involved more  
14 time looking at seeing patients and performing procedures, and less time performing computer  
15 typing/mousing duties than other rotations in the Radiology department) and instead informed her  
16 that she would be returned to a "regular" Radiology position which involved shifts on rotations that  
17 required more time performing computer typing/mousing duties.

18 20. In late November of 2013, PLAINTIFF met with DEFENDANTS' representatives  
19 Chief of Radiology Michael Hines and Human Resources Representative Pamela Gourley.  
20 DEFENDANTS' representatives informed PLAINTIFF that, despite her doctor's written job  
21 restrictions, they did not believe she actually required modified duty.

22 21. PLAINTIFF promptly provided DEFENDANTS with "clarification" from her  
23 physician(s) of her need for modified duty and with medical certification of her disability. Despite  
24 this documentation, DEFENDANTS refused to permit PLAINTIFF to assign PLAINTIFF to work  
25 solely on the mammography rotation (i.e. the accommodation that had successfully allowed her to  
26 perform her position for approximately seven months in 2013). Despite her repeated requests for  
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1 further information, DEFENDANTS refused to inform PLAINTIFF why this accommodation was  
2 no longer possible.

3 22. In early 2014, PLAINTIFF attempted to perform her job despite the fact that her  
4 physician's restrictions were not being implemented.

5 23. PLAINTIFF is informed and believes that in early 2014 Dr. Hines instructed  
6 DEFENDANTS' employees to schedule PLAINTIFF for rotations that included heavy computer  
7 work.

8 24. Further, PLAINTIFF believes that DEFENDANTS implemented changes in the  
9 department's after hours on-call program so as to force PLAINTIFF to unnecessarily perform call  
10 work that required constant computer typing/mousing duties.

11 25. In April of 2014, PLAINTIFF (and her retained legal counsel) repeatedly informed  
12 DEFENDANTS that her physician's restrictions were not being followed, and repeatedly requested  
13 that DEFENDANTS provide PLAINTIFF with reasonable accommodation, for example in the form  
14 of placement solely on the mammography rotation or a part time work schedule. DEFENDANTS  
15 refused, in blatant disregard for the law and without any valid explanation for the denial. For  
16 example, DEFENDANTS' Senior Legal Counsel Susan Hartley stated (incorrectly) that legally  
17 accommodations for disabilities were only required on a temporary basis and that as such no  
18 permanent job modifications would be made.

19 26. PLAINTIFF continued to attempt to interact with DEFENDANTS regarding her  
20 disability and requested accommodation. For example, on April 28, 2014 she met directly with Dr.  
21 Hines, Ms. Gourley, and Physician-in-Chief Steven Stricker. During this meeting, PLAINTIFF  
22 again stressed that she had shown that she could effectively perform on the mammography rotation.  
23 Dr. Hines responded with words to the effect, "Well you are not going to be able to do it much  
24 longer."

25 27. Two days later, PLAINTIFF received the work schedule for May of 2014, and she  
26 was not included on it. PLAINTIFF promptly complained, in writing, about DEFENDANTS'  
27 continued refusal to provide accommodation and questioned her removal from the May 2014 work  
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1 schedule. On May 2, 2014 Physician-in-Chief Steven Stricker responded to PLAINTIFF and  
2 informed her that "all" radiologists were required to work full day schedule, work on multiple types  
3 of rotations and to take call, and that as such DEFENDANTS had placed PLAINTIFF on "sick  
4 leave."

5 28. On May 7, 2014 PLAINTIFF protested DEFENDANTS decision, and noted that due  
6 to her disability the law required that she be treated differently than "all" the other (non-disabled)  
7 radiologists.

8 29. PLAINTIFF does not know what, if any, action was taken in response to her  
9 complaint. She was not returned to work, and has been on a forced "leave of absence" since May of  
10 2014.

### 11 **FIRST CAUSE OF ACTION**

#### 12 **Failure to Accommodate Disability in Violation of the FEHA**

13 30. By this reference, PLAINTIFF hereby incorporates each and every paragraph set  
14 forth above as though fully set forth at this place.

15 31. PLAINTIFF is informed and believes and thereon alleges that DEFENDANTS are  
16 employers subject to suit under California Government Code Section 12900, et seq., the Fair  
17 Employment and Housing Act ("FEHA") in that DEFENDANTS are business organizations with 5  
18 or more employees doing business in the State of California.

19 32. PLAINTIFF is an individual with a disability who could perform the essential  
20 functions of her position with reasonable accommodation. PLAINTIFF has a record of a disability,  
21 and was perceived by DEFENDANT as having a disability.

22 33. DEFENDANT failed to provide PLAINTIFF with a reasonable accommodation  
23 which would have permitted her to perform her position. Such accommodation could have included  
24 (but is not limited to) job restructuring, a modified schedule, modified workplace policies, and/or  
25 reassignment.

26 34. PLAINTIFF is informed and believes and thereon alleges that DEFENDANTS  
27 willfully and/or with reckless indifference, violated the FEHA as outlined above by failing to  
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1 provide PLAINTIFF with reasonable accommodation. Such action has resulted in damage and  
2 injury to PLAINTIFF as alleged herein.

3 35. As a direct and proximate result of the unlawful conduct of DEFENDANTS,  
4 PLAINTIFF has suffered special damages including but not limited to past and future loss of  
5 income, benefits, medical expenses, and other damages to be proven at time of trial.

6 36. As a direct and proximate result of the unlawful conduct of DEFENDANTS,  
7 PLAINTIFF has suffered general damages including but not limited to shock, embarrassment,  
8 humiliation, emotional distress, stress and other damages to be proven at the time of trial.

9 37. The unlawful conduct alleged above was engaged in and/or ratified by the officers,  
10 directors, supervisors and/or managing agents of DEFENDANTS. DEFENDANTS are, therefore,  
11 liable for the conduct of said agents and employees.

12 38. DEFENDANTS committed the acts herein alleged maliciously, fraudulently and  
13 oppressively in conscious disregard for PLAINTIFF's rights. DEFENDANTS committed and/or  
14 ratified the acts alleged herein. These acts were committed with the knowledge of employees' lack  
15 of fitness in the workplace but were allowed to proceed, by officers, directors, and/or managing  
16 agents of DEFENDANT. PLAINTIFF is, therefore, entitled to recover punitive damages from  
17 DEFENDANT in an amount according to proof at trial.

18 39. As a result of the conduct of DEFENDANTS, PLAINTIFF was forced to retain an  
19 attorney in order to protect her rights. Accordingly, PLAINTIFF seeks the reasonable attorneys'  
20 fees and costs incurred in this litigation in an amount according to proof at trial.

21 WHEREFORE, PLAINTIFF prays for judgment as set forth below.

22 **SECOND CAUSE OF ACTION**

23 **Discrimination Based on Disability in Violation of the FEHA**

24 40. By this reference, PLAINTIFF hereby incorporates each and every paragraph set  
25 forth above as though fully set forth at this place.

26 41. PLAINTIFF is informed and believes and thereon alleges that DEFENDANTS are  
27 employers subject to suit under California Government Code Section 12900, et seq., the Fair  
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1 Employment and Housing Act ("FEHA") in that DEFENDANTS are business organizations with 5  
2 or more employees doing business in the State of California.

3 42. PLAINTIFF is an individual with a disability who could perform the essential  
4 functions of her position with reasonable accommodation. PLAINTIFF has a record of a disability,  
5 and was perceived by DEFENDANT as having a disability.

6 43. PLAINTIFF is informed and believes and thereon alleges that she was discriminated  
7 against in the terms and conditions of her employment, on the basis of her actual or perceived  
8 disability, as set forth herein, in violation of FEHA. Such discrimination is outlined above, and  
9 includes but is not limited to placing PLAINTIFF on a forced leave of absence and refusing to place  
10 her on the work schedule since May of 2014.

11 44. PLAINTIFF is informed and believes and thereon alleges that DEFENDANTS  
12 willfully and/or with reckless indifference, violated the FEHA and discriminated against  
13 PLAINTIFF as outlined above. Such discrimination has resulted in damage and injury to  
14 PLAINTIFF as alleged herein.

15 45. As a direct and proximate result of the unlawful conduct of DEFENDANTS,  
16 PLAINTIFF has suffered special damages including but not limited to past and future loss of  
17 income, benefits, medical expenses, and other damages to be proven at time of trial.

18 46. As a direct and proximate result of the unlawful conduct of DEFENDANTS,  
19 PLAINTIFF has suffered general damages including but not limited to shock, embarrassment,  
20 humiliation, emotional distress, stress and other damages to be proven at the time of trial.

21 47. The unlawful conduct alleged above was engaged in and/or ratified by the officers,  
22 directors, supervisors and/or managing agents of DEFENDANTS. DEFENDANTS are, therefore,  
23 liable for the conduct of said agents and employees.

24 48. DEFENDANTS committed the acts herein alleged maliciously, fraudulently and  
25 oppressively in conscious disregard for PLAINTIFF's rights. DEFENDANTS committed and/or  
26 ratified the acts alleged herein. These acts were committed with the knowledge of employees' lack  
27 of fitness in the workplace but were allowed to proceed, by officers, directors, and/or managing  
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1 agents of DEFENDANT. PLAINTIFF is, therefore, entitled to recover punitive damages from  
2 DEFENDANT in an amount according to proof at trial.

3 49. As a result of the conduct of DEFENDANTS, PLAINTIFF was forced to retain an  
4 attorney in order to protect her rights. Accordingly, PLAINTIFF seeks the reasonable attorneys'  
5 fees and costs incurred in this litigation in an amount according to proof at trial.

6 WHEREFORE, PLAINTIFF prays for judgment as set forth below.

7 **THIRD CAUSE OF ACTION**

8 **Retaliation in Violation of the FEHA**

9 50. By this reference, PLAINTIFF hereby incorporates each and every paragraph set  
10 forth above as though fully set forth at this place.

11 51. PLAINTIFF is informed and believes and thereon alleges that DEFENDANTS are  
12 employers subject to suit under California Government Code Section 12900, et seq., the Fair  
13 Employment and Housing Act ("FEHA") in that DEFENDANTS are business organizations with 5  
14 or more employees doing business in the State of California.

15 52. Pursuant to the FEHA, PLAINTIFF had a legal right to complain of discrimination,  
16 and retaliation in the workplace, had a legal right to take a medical/disability leave from her  
17 employment, and had a legal right to request accommodation due to her disability.

18 53. PLAINTIFF is informed and believes, and thereon alleges that as a result of  
19 exercising her legal rights to complain of discrimination and retaliation in the workplace, and/or as a  
20 result of taking a medical/disability leave from her employment, and/or as a result of requesting and  
21 requiring accommodation due to her disability, DEFENDANTS retaliated against her in violation of  
22 FEHA. Such retaliation is outlined above, and includes but is not limited to placing PLAINTIFF on  
23 a forced leave of absence and refusing to place her on the work schedule since May of 2014.

24 54. PLAINTIFF is informed and believes and thereon alleges that DEFENDANTS  
25 willfully and/or with reckless indifference, violated the FEHA as outlined above by failing to  
26 provide PLAINTIFF with reasonable accommodation. Such action has resulted in damage and  
27 injury to PLAINTIFF as alleged herein.



1 Employment and Housing Act ("FEHA") in that DEFENDANTS are business organizations with 5  
2 or more employees doing business in the State of California.

3 62. PLAINTIFF is informed and believes and thereon alleges that DEFENDANTS failed  
4 to take reasonable steps to prevent and/or stop discrimination and retaliation from occurring in the  
5 workplace, in violation of the FEHA.

6 63. PLAINTIFF is informed and believes and thereon alleges that discrimination and/or  
7 retaliation against her resulted from DEFENDANTS' failure to have in place an effective  
8 prophylactic policy and/or reporting mechanism and/or their failure to take all reasonable steps to  
9 prevent or correct discrimination and/or retaliation from occurring in the workplace.

10 64. PLAINTIFF repeatedly complained to DEFENDANTS that she believed her  
11 physician's work restrictions were not being followed, complained that she was not being provided  
12 with reasonable accommodation, and complained that she believed her removal from the work  
13 schedule was improper. To PLAINTIFF's knowledge DEFENDANT failed to fully and neutrally  
14 investigate PLAINTIFF'S complaints and failed to remedy the unlawful conduct.

15 65. As a direct and proximate result of the unlawful conduct of DEFENDANTS,  
16 PLAINTIFF has suffered special damages including but not limited to past and future loss of  
17 income, benefits, medical expenses, and other damages to be proven at time of trial.

18 66. As a direct and proximate result of the unlawful conduct of DEFENDANTS,  
19 PLAINTIFF has suffered general damages including but not limited to shock, embarrassment,  
20 humiliation, emotional distress, stress and other damages to be proven at the time of trial.

21 67. The unlawful conduct alleged above was engaged in and/or ratified by the officers,  
22 directors, supervisors and/or managing agents of DEFENDANTS. DEFENDANTS are, therefore,  
23 liable for the conduct of said agents and employees.

24 68. DEFENDANTS committed the acts herein alleged maliciously, fraudulently and  
25 oppressively in conscious disregard for PLAINTIFF's rights. DEFENDANTS committed and/or  
26 ratified the acts alleged herein. These acts were committed with the knowledge of employees' lack  
27 of fitness in the workplace but were allowed to proceed, by officers, directors, and/or managing  
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1 agents of DEFENDANT. PLAINTIFF is, therefore, entitled to recover punitive damages from  
2 DEFENDANT in an amount according to proof at trial.

3 69. As a result of the conduct of DEFENDANTS, PLAINTIFF was forced to retain an  
4 attorney in order to protect her rights. Accordingly, PLAINTIFF seeks the reasonable attorneys'  
5 fees and costs incurred in this litigation in an amount according to proof at trial.

6 WHEREFORE, PLAINTIFF prays for judgment as set forth below.

7 **FIFTH CAUSE OF ACTION**

8 **Retaliation in Violation of the CFRA**

9 70. By this reference, PLAINTIFF hereby incorporates each and every paragraph set  
10 forth above as though fully set forth at this place.

11 71. PLAINTIFF was an "eligible employee" under the California Family Rights Act  
12 ("CFRA"), as she had been employed by DEFENDANTS for at least 12 months and had been  
13 employed for over 1250 hours of service in the 12 month period before she took a medical/disability  
14 leave from her employment.

15 72. DEFENDANTS are "covered employers" under the CFRA, as DEFENDANTS  
16 employed 50 or more people within a 75 mile radius to perform services for a salary or wage.

17 73. PLAINTIFF provided DEFENDANTS with notice of her request for protected  
18 medical leave.

19 74. PLAINTIFF took a medical leave from her employment for a reason covered under  
20 the CFRA: PLAINTIFF'S own serious health condition.

21 75. DEFENDANT violated the CFRA, and retaliated against PLAINTIFF following her  
22 medical leave, by refusing to assign PLAINTIFF to the mammography rotation upon which she had  
23 been successfully working for months, and ultimately by removing her entirely from the work  
24 schedule.

25 76. PLAINTIFF is informed and believes and thereon alleges that DEFENDANT  
26 willfully and/or with reckless indifference, violated the CFRA, California Government Code Section  
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1 12945.2, by retaliating against PLAINTIFF for exercising her right to take a medical leave. Such  
2 actions have resulted in damage and injury to PLAINTIFF as alleged herein.

3 77. As a direct and proximate result of the unlawful conduct of DEFENDANTS,  
4 PLAINTIFF has suffered special damages including but not limited to past and future loss of  
5 income, benefits, medical expenses, and other damages to be proven at time of trial.

6 78. As a direct and proximate result of the unlawful conduct of DEFENDANTS,  
7 PLAINTIFF has suffered special damages including but not limited to past and future loss of  
8 income, benefits, medical expenses, and other damages to be proven at time of trial.

9 79. As a direct and proximate result of the unlawful conduct of DEFENDANTS,  
10 PLAINTIFF has suffered general damages including but not limited to shock, embarrassment,  
11 humiliation, emotional distress, stress and other damages to be proven at the time of trial.

12 80. The unlawful conduct alleged above was engaged in and/or ratified by the officers,  
13 directors, supervisors and/or managing agents of DEFENDANTS. DEFENDANTS are, therefore,  
14 liable for the conduct of said agents and employees.

15 81. DEFENDANTS committed the acts herein alleged maliciously, fraudulently and  
16 oppressively in conscious disregard for PLAINTIFF's rights. DEFENDANTS committed and/or  
17 ratified the acts alleged herein. These acts were committed with the knowledge of employees' lack  
18 of fitness in the workplace but were allowed to proceed, by officers, directors, and/or managing  
19 agents of DEFENDANT. PLAINTIFF is, therefore, entitled to recover punitive damages from  
20 DEFENDANT in an amount according to proof at trial.

21 82. As a result of the conduct of DEFENDANTS, PLAINTIFF was forced to retain an  
22 attorney in order to protect her rights. Accordingly, PLAINTIFF seeks the reasonable attorneys'  
23 fees and costs incurred in this litigation in an amount according to proof at trial.

24 WHEREFORE, PLAINTIFF prays for judgment as set forth below.

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1 **SIXTH CAUSE OF ACTION**

2 **Violations of California Labor Code Sections 226, 432, and 1198.5**

3 **(Failure to Provide Personnel and Pay Documents).**

4 83. By this reference, PLAINTIFF hereby incorporates each and every paragraph set  
5 forth above as though fully set forth at this place.

6 84. Labor Code Section 226 provides that an employer who receives a written or oral  
7 request to inspect or copy records wage records shall comply with the request as soon as practicable,  
8 but no later than 21 calendar days from the date of the request. On November 18, 2014 PLAINTIFF,  
9 through her retained legal counsel, issued a written request for copies of such records and to date (34  
10 days later) DEFENDANTS have failed to comply.

11 85. Labor Code Section 432 provides: "If an employee or applicant signs any instrument  
12 relating to the obtaining or holding of employment, he shall be given a copy of the instrument upon  
13 request." On November 18, 2014 PLAINTIFF, through her retained legal counsel, issued a written  
14 request for such instruments and to date (34 days later) DEFENDANTS have failed to comply.

15 86. Labor Code Section 1198.5 provides "Every current and former employee, or his or  
16 her representative, has the right to inspect and receive a copy of the personnel records that the  
17 employer maintains relating to the employee's performance or to any grievance concerning the  
18 employee . . . The employer shall make the contents of those personnel records available for  
19 inspection to the current or former employee, or his or her representative, at reasonable intervals and  
20 at reasonable times, but not later than 30 calendar days from the date the employer receives a written  
21 request. On November 18, 2014 PLAINTIFF, through her retained legal counsel, issued a written  
22 request for copies of such records and to date (34 days later) DEFENDANTS have failed to comply.

23 87. As a result of the conduct of DEFENDANTS, PLAINTIFF was forced to retain an  
24 attorney in order to protect her rights. Accordingly, PLAINTIFF seeks the reasonable attorneys'  
25 fees and costs incurred in this litigation in an amount according to proof at trial,

26 88. PLAINTIFF additionally seeks any and all penalties available to her for the above  
27 violations.  
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1 WHEREFORE, PLAINTIFF prays for judgment as set forth below.

2 **PRAYER FOR RELIEF**

3 WHEREFORE, PLAINTIFF makes the following demand:

4 a) That process be issued and served as provided by law, requiring DEFENDANTS to  
5 appear and answer or face judgment;

6 b) That this Court order injunctive relief, i.e. for DEFENDANTS to make, in good faith,  
7 an offer of employment to PLAINTIFF in a position with like seniority, status, pay and benefits as  
8 PLAINTIFF would have enjoyed but for DEFENDANTS' wrongful conduct, and to provide training  
9 to its employees on the topics of discrimination and retaliation in the workplace.

10 c) That PLAINTIFF have and recover judgment against DEFENDANTS in an amount  
11 to be determined at trial as general, special, actual, compensatory and/or nominal damages for its  
12 wrongful conduct;

13 d) That PLAINTIFF have and recover a judgment against DEFENDANTS for punitive  
14 damages in an amount to be determined at trial sufficient to punish, penalize and/or deter  
15 DEFENDANT;

16 e) That PLAINTIFF have and recover a judgment against DEFENDANTS in an amount  
17 to be determined at trial for expenses of this litigation, including, but not limited to, reasonable  
18 attorneys' fees and costs; and

19 f) That PLAINTIFF have and recover a penalties against DEFENDANTS for failure to  
20 provide Personnel and Wage records as required, including but not limited to a \$750 penalty under  
21 Labor Code Section 226.

22 f) That PLAINTIFF have and recover a judgment against DEFENDANTS for all pre-  
23 judgment and post-judgment interest; and

24 g) That PLAINTIFF have such other relief as this Court deems just and proper.

25 DATED: December 22, 2014

COSTIN LAW INC.

26 By: 

27 ANNE COSTIN, Attorney for PLAINTIFF

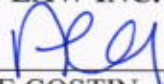
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**DEMAND FOR JURY TRIAL**

PLAINTIFF hereby demands Trial by Jury.

DATED: December 22 2014

**COSTIN LAW INC.**

By:   
ANNE COSTIN, Attorney for PLAINTIFF

Courthouse News Service