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**FILED**  
ALAMEDA COUNTY

NOV 07 2016

CLERK OF THE SUPERIOR COURT  
By *[Signature]*  
D. OLIVER, Deputy

Attorneys for Plaintiff YURY KAMENETSKY

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF ALAMEDA

YURY KAMENETSKY,

Case No.

**RG 16838108**

Plaintiff,

COMPLAINT FOR DAMAGES:

vs.

KAISER FOUNDATION HOSPITALS, INC.,  
a California corporation, THE PERMANENTE  
MEDICAL GROUP, INC., a California  
corporation, and DOES 1-20,

Defendants.

- (1) Age Discrimination;
- (2) Disability and/or Medical Condition Discrimination;
- (3) Violation of California Family Rights Act;
- (4) Disability, Medical Condition, and/or Medical Leave Retaliation;
- (5) Failure to Prevent Discrimination and/or Retaliation;
- (6) Wrongful Discharge in Violation of Public Policy.

BY FAX

**JURY DEMANDED**

Plaintiff, YURY KAMENETSKY, (hereinafter "Plaintiff"), complains against Defendants, KAISER FOUNDATION HOSPITALS, INC., a California corporation, THE PERMANENTE MEDICAL GROUP, INC., a California corporation, and DOES 1-20, (hereinafter "Defendants"), and demands a trial by jury of all issues and for causes of action alleged:

**I. NATURE OF THE ACTION**

1. This is an individual action brought by an employee against his former employer alleging

1 violations of the California Fair Employment and Housing Act ("FEHA"), the California Family Rights  
2 Act ("CFRA"), and wrongful termination in violation of public policy. Plaintiff alleges that Defendants  
3 violated the law by interfering with his CFRA rights, and terminating his employment because of age  
4 and/or disability or perceived disability and because he sought a qualifying medical leave.

## 5 **II. PARTIES**

6 2. Plaintiff is, and at all times relevant herein was, a resident of Contra Costa County, California.

7 3. On information and belief, Defendant, KAISER FOUNDATION HOSPITALS, INC., is a  
8 California corporation with its principal place of business in Alameda County, California, and employs  
9 more than 100 employees.

10 4. On information and belief, Defendant, THE PERMANENTE MEDICAL GROUP, INC., is a  
11 California corporation with its principal place of business in Alameda County, California, and employs  
12 more than 100 employees.

13 5. Defendants, and each of them, were a joint employer of Plaintiff and is an "employer" as that  
14 term is defined by California Government Code §§12926, 12940.

15 6. The true names and capacities, whether individual, corporate, associate or otherwise, of  
16 Defendant DOES 1 to 20 are unknown to Plaintiff, who therefore sues said Defendants by such fictitious  
17 names. Plaintiff will amend this Complaint by inserting the true names and capacities of each such  
18 Defendant, with appropriate charging allegations, when they are ascertained. Plaintiff is informed and  
19 believes, and, thereon alleges, that each of the Defendants designated herein as a Doe is responsible in  
20 some manner for the injuries suffered by Plaintiff and for damages proximately caused by the conduct  
21 of each such Defendant has herein alleged.

22 7. Defendants, and each of them, have such a unity of interest and ownership that the separate  
23 personalities do not in reality exist and that the corporate structure is just a shield for the alter ego of  
24 each other. Inequity will result if the acts in question are treated as those of one of the Defendants over  
25 the other and, therefore, these entities and DOES 1 to 20 should be held collectively liable for the acts  
26 of complained of herein.

27 8. At all times herein mentioned, each of the Defendants was the agent, managing agent, servant  
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1 and/or employee of the remaining Defendants, and each of them, and at all times herein mentioned, was  
2 acting within the course and scope of said agency, service and employment.

### 3 **III. JURISDICTION AND VENUE**

4 9. This Court has jurisdiction over Plaintiff's claims pursuant to California Government Code §  
5 12965. Venue is proper in this Court pursuant to Section 12965 because Plaintiff is informed and  
6 believes the records relevant to the alleged unlawful practices are maintained and administered in the  
7 County of Alameda, California. The amount in controversy exceeds \$25,000.

### 8 **IV. EXHAUSTION OF ADMINISTRATIVE REMEDIES**

9 10. On or about October 31, 2016, Plaintiff filed a timely charge of discrimination with the  
10 Department of Fair Employment and Housing ("DFEH"). On October 31, 2016, the DFEH issued a  
11 right-to-sue letter on this charge and it was timely served on Defendants. (Attached hereto as Exhibit  
12 A and fully incorporated herein is a true and correct copy of the DFEH complaint and right-to-sue letter.)

### 13 **V. FACTUAL ALLEGATIONS COMMON TO ALL CAUSES OF ACTION**

14 11. Plaintiff worked for Defendants as a licensed and certified Registered Nurse in the Labor and  
15 Delivery Department of Defendants' facility located in Walnut Creek, California. Before his termination  
16 in March 2016, Plaintiff had been employed with Defendants for about 23 years. Over the years,  
17 Plaintiff received satisfactory and higher performance reviews, was promoted, and received numerous  
18 commendations, awards, recognitions and patient appreciation letters. He had a good working  
19 relationship with his peers and managers. At the time of the termination, Plaintiff was 59 years old and  
20 earned approximately \$180,000 a year.

21 12. Between May 2008 and November 2009, Plaintiff held a second job as a part-time Certified  
22 Nurse Midwife at the David Grant United States Air Force Medical Center on Travis Air Force Base in  
23 Fairfield, California. On or about March 31, 2009, Respondent was a member of a team that managed  
24 a 20 year old patient in labor. The patient delivered an infant diagnosed with Hypoxic Ischemic  
25 Encephalopathy. In or about 2014, The Board of Registered Nursing of the Department of Consumer  
26 Affairs ("Board") initiated a disciplinary proceeding against Plaintiff. In or about June 2015, the Board  
27 and Plaintiff entered in to a Stipulated Settlement and Disciplinary Order ("Order"). The Board placed  
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1 Plaintiff on probation for 3 years pending successful completion of probation terms and conditions. As  
2 a condition for continued employment as a Registered Nurse during probation, the Board required,  
3 among other things, prior approval from the Board regarding the required "Moderate"<sup>1</sup> level of  
4 supervision by a registered nurse in good standing.

5 13. In or about June 2015, Plaintiff informed Defendants of the Order. Without any explanation,  
6 Defendants placed Plaintiff on an unpaid leave of absence - contrary to and in violation of the terms of  
7 the Collective Bargaining Agreement ("CBA") between Defendants and the California Nurses  
8 Association, a nurses' union of which Plaintiff was a member. The CBA requires Plaintiff to be placed  
9 on a paid leave.

10 14. Commencing on or about July 20, 2015, after he was inexplicably placed on an unpaid leave  
11 of absence, Plaintiff sought medical care for a serious medical condition - stress and anxiety. His  
12 treating doctors at Kaiser placed him on disability due to his debilitating medical condition. When  
13 Plaintiff presented the doctor's note to his manager and inquired about CFRA or any other leave for  
14 which he may qualify, Defendants refused to authorize CFRA leave despite the fact that Plaintiff met  
15 the CFRA eligibility requirements of 1250 hours worked during 12 months of employment prior to the  
16 time he sought CFRA leave, and was entitled to 480 hours of CFRA leave.

17 15. On March 1, 2016, while he was on disability, Defendants informed Plaintiff that his  
18 employment is terminated effective immediately. The only reason given for the termination was that  
19 Defendants were not able to accommodate the conditions of probation imposed on Plaintiff by the Board  
20 for Plaintiff's continued employment with Defendants. Plaintiff is informed and believes that  
21 Defendants' stated reason for termination was simply a pretext to discriminate against and terminate  
22 Plaintiff based on his age and disability. In fact, many of his colleagues submitted petitions to  
23 Defendants and provided testimony at union grievance hearings detailing what they can and will do to  
24

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25 <sup>1</sup> Moderate level of supervision requires the individual providing supervision and/or  
26 collaboration be in the patient care unit or in any other work setting at least half the hours Plaintiff  
27 works.

1 fully comply with the Board Order in regards to supervision and reporting requirements for Plaintiff's  
2 continued employment as a nurse while on probation. Moreover, in the past years, Defendants routinely  
3 provided accommodations to nurses who were placed on probation by the Board. Plaintiff is further  
4 informed and believes that Defendants hired a younger nurse - earning substantially less than Plaintiff -  
5 after he was terminated.

6 16. Plaintiff currently works as a part-time nurse at an elder care facility and earns approximately  
7 \$20/hr. His current employer obtained the Board approval for continued employment as a nurse during  
8 probation without difficulty.

9 **FIRST CAUSE OF ACTION**

10 **(AGE DISCRIMINATION)**

11 17. Plaintiff re-alleges and incorporates by reference Paragraphs 1 through 16, above, as if fully  
12 set forth herein.

13 18. California Government Code §12940(a) prohibits an employer from discriminating against an  
14 employee on the basis of age in compensation or in terms, conditions, or privileges of employment.

15 19. Plaintiff is a member of a protected group based on his age.

16 20. Defendants have unlawfully discriminated against Plaintiff based on his age in violation of  
17 California Government Code §12940(a) by treating him less favorably than similarly situated employees  
18 because of his age.

19 21. As a result of Defendants' discriminatory practices, Plaintiff has suffered and will continue  
20 to suffer irreparable injury and monetary damages.

21 22. By reason of the conduct of the Defendant, Plaintiff has necessarily retained attorneys to  
22 prosecute this action. Plaintiff is therefore entitled to reasonable attorney's fees and costs incurred in  
23 bring this action.

24 23. Defendants committed the despicable acts, as herein alleged, maliciously, fraudulently, and  
25 oppressively, with the intent of injuring Plaintiff, and have acted with an improper motive amounting  
26 to malice, and in conscious disregard of Plaintiff's rights. Because the despicable acts taken toward  
27 Plaintiff were carried out by managerial employees and/or "managing agents," acting in a deliberate,

1 cold, callous and intentional manner in order to injure and damage Plaintiff, Plaintiff is entitled to  
2 recover punitive damages from Defendants in an amount according to proof.

3 WHEREFORE, Plaintiff prays for relief as set forth herein.

4 **SECOND CAUSE OF ACTION**

5 (DISABILITY AND/OR MEDICAL CONDITION DISCRIMINATION)

6 24. Plaintiff re-alleges and incorporates by reference Paragraphs 1 through 23 as if fully set forth  
7 herein.

8 25. California Government Code §12940(a) prohibits an employer and any person from  
9 discriminating against any employee on the basis of physical disability, mental disability, medical  
10 condition or perceived disability.

11 26. Defendants violated California Government Code §12940(a) with regard to Plaintiff when  
12 they discriminated against Plaintiff on the basis of physical disability, mental disability, medical  
13 condition or perceived disability, and/or took other adverse employment actions against Plaintiff on the  
14 basis of physical disability, mental disability, medical condition or perceived disability.

15 27. As a direct, foreseeable and proximate result of Defendants' acts, Plaintiff has suffered and  
16 continues to suffer substantial past and future economic losses and other employment and economic  
17 benefits and opportunities and other consequential and foreseeable damages and has suffered and  
18 continues to suffer humiliation, embarrassment, mental and emotional distress, and discomfort.

19 28. By reason of the conduct of the Defendants, Plaintiff has necessarily retained attorneys to  
20 prosecute this action. Plaintiff is therefore entitled to reasonable attorney's fees and costs incurred in  
21 bring this action.

22 29. Defendants committed the despicable acts, as herein alleged, maliciously, fraudulently, and  
23 oppressively, with the intent of injuring Plaintiff, and have acted with an improper motive amounting  
24 to malice, and in conscious disregard of Plaintiff's rights. Because the despicable acts taken toward  
25 Plaintiff were carried out by managerial employees and/or "managing agents," acting in a deliberate,  
26 cold, callous and intentional manner in order to injure and damage Plaintiff. Plaintiff is entitled to  
27 recover punitive damages from Defendants in an amount according to proof.

1 WHEREFORE, Plaintiff prays for relief as set forth herein.

2 **THIRD CAUSE OF ACTION**

3 (VIOLATION OF CALIFORNIA FAMILY RIGHTS ACT)

4 30. Plaintiff re-alleges and incorporates by reference Paragraphs 1 through 29 as if fully set forth  
5 herein.

6 31. The California Family Rights Act, California Government Code § 12945.2(t), provides that  
7 it is an unlawful employment practice for an employer to interfere with, restrain, or deny the exercise  
8 of, or the attempt to exercise rights under CFRA.

9 32. Defendants knew or should have know that Plaintiff was entitled by law and policy to take  
10 leaves of absence from work for his own serious medical condition(s).

11 33. Defendants refused to authorize CFRA leave for Plaintiff's serious medical condition.

12 34. Defendants' mistreatment of Plaintiff in the terms and conditions of his employment, including  
13 interfering with the exercise of Plaintiff's CFRA rights, and termination, constitutes unlawful  
14 discrimination in violation of CFRA.

15 35. As a direct, foreseeable and proximate result of Defendants' acts, Plaintiff has suffered and  
16 continues to suffer substantial past and future economic losses and other employment and economic  
17 benefits and opportunities and other consequential and foreseeable damages and has suffered and  
18 continues to suffer humiliation, embarrassment, mental and emotional distress, and discomfort.

19 36. By reason of the conduct of the Defendants, Plaintiff has necessarily retained attorneys to  
20 prosecute this action. Plaintiff is therefore entitled to reasonable attorney's fees and costs incurred in  
21 bring this action.

22 37. Defendants committed the despicable acts, as herein alleged, maliciously, fraudulently, and  
23 oppressively, with the intent of injuring Plaintiff, and have acted with an improper motive amounting  
24 to malice, and in conscious disregard of Plaintiff's rights. Because the despicable acts taken toward  
25 Plaintiff were carried out by managerial employees and/or "managing agents," acting in a deliberate,  
26 cold, callous and intentional manner in order to injure and damage Plaintiff. Plaintiff is entitled to  
27 recover punitive damages from Defendants in an amount according to proof.

1 WHEREFORE, Plaintiff prays for relief as set forth herein.

2 **FOURTH CAUSE OF ACTION**

3 (Disability, Medical Condition, and/or Medical Leave Retaliation)

4 38. Plaintiff incorporates herein by reference all the allegations contained in Paragraphs 1 through  
5 37 of this complaint as fully set forth herein.

6 39. California Government Code § 12945.2(l) provides that it is an unlawful employment practice  
7 for an employer or any other person to refuse to hire, or to discharge, fine, suspend, expel, or  
8 discriminate against an individual's exercise of the right to family care and medical leave.

9 40. Defendants violated 12945.2(l) with regard to Plaintiff when they retaliated and took adverse  
10 employment actions against Plaintiff – termination.

11 41. As a direct and proximate result of defendant's retaliatory conduct, Plaintiff has suffered loss  
12 of employment, indignity, great humiliation and emotional distress manifesting in physical symptoms.

13 42. Defendants' actions have caused and continue to cause Plaintiff substantial losses in earnings,  
14 significant reputation and professional injury, loss of promotional opportunities and other employment  
15 benefits, lost wages, attorneys' fees, medical expenses, future earnings and benefits, cost of suit,  
16 humiliation, embarrassment and anguish, all to his damage in an amount according to proof.

17 43. The acts of these said defendants as alleged herein, were intentional, outrageous, despicable,  
18 oppressive, fraudulent, and done with ill will and intent to injure Plaintiff and to cause Plaintiff mental  
19 anguish, anxiety, and distress. The defendants' acts were done in conscious disregard of the risk of  
20 severe emotional harm to Plaintiff and with the intent to injure Plaintiff, constituting oppression, fraud,

21 malice under California Civil Code § 3294, entitling Plaintiff to punitive damages against these  
22 defendants only.

23 WHEREFORE, Plaintiff prays for relief as set forth herein.

24 **FIFTH CAUSE OF ACTION**

25 (FAILURE TO PREVENT DISCRIMINATION AND/OR RETALIATION)

26 44. Plaintiff re-alleges and incorporates by reference Paragraphs 1 through 43 of this Complaint  
27 as though fully set forth herein.



1 45. California Government Code § 12940(k) provides that it is an unlawful employment practice  
2 for an employer to fail to take all reasonable steps necessary to prevent discrimination, retaliation, and  
3 harassment from occurring in the workplace.

4 46. Defendants violated Government Code § 12940(k) with regard to Plaintiff when Defendants  
5 failed to take reasonable steps necessary to prevent discrimination, retaliation, and harassment from  
6 occurring in the workplace.

7 47. As a direct and proximate result of Defendants' unlawful acts, Plaintiff has suffered loss of  
8 employment opportunities, loss of dignity, great humiliation, and emotional injuries manifesting in  
9 physical illness and emotional distress.

10 48. Defendants' actions have caused and continue to cause Plaintiff substantial losses in earnings,  
11 significant reputation and professional injury, loss of promotional opportunities and other employment  
12 benefits, lost wages, attorneys' fees, medical expenses, future earnings and benefits, costs of suit,  
13 embarrassment and anguish, all to his damage in an amount according to proof.

14 49. Defendants committed the despicable acts, as herein alleged, maliciously, fraudulently, and  
15 oppressively, with the wrongful intent of injuring Plaintiff, and have acted with an improper and evil  
16 motive amounting to malice, and in conscious disregard of Plaintiff's rights. Because the despicable acts  
17 taken toward Plaintiff were carried out by managerial employees and/or "managing agents," acting in  
18 a deliberate, cold, callous and intentional manner in order to injure and damage Plaintiff, she is entitled  
19 to recover punitive damages from Defendants in an amount according to proof.

20 WHEREFORE, Plaintiff prays for relief as set forth herein.

21 **SIXTH CAUSE OF ACTION**

22 (WRONGFUL TERMINATION IN VIOLATION OF PUBLIC POLICY)

23 50. Plaintiff re-alleges and incorporates by reference Paragraphs 1 through 49 of this Complaint  
24 as though fully set forth herein.

25 51. Defendants discriminated, harassed and retaliated against Plaintiff on the basis of his disability,  
26 and/or medical condition and/or mental condition and, further, there was a nexus (causal connection)  
27 between the termination of Plaintiff and his protected status under the California Fair Employment and  
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1 Housing Act (because of his disability, and/or medical condition) and /or his assertion of rights under  
2 CFRA - each and all are matters of public policy.

3 52. Accordingly, the discharge of Plaintiff was wrongful as it violated public policy, California  
4 common law and Plaintiff's constitutional rights, and statutory rights.

5 53. As a direct and proximate result of Defendants' discriminatory acts, Plaintiff has suffered loss  
6 of employment opportunities, loss of dignity, great humiliation, and emotional injuries manifesting in  
7 physical illness and emotional distress.

8 54. Defendants' actions have caused and continue to cause Plaintiff substantial losses in earnings,  
9 significant reputation and professional injury, loss of promotional opportunities and other employment  
10 benefits, lost wages, attorneys' fees, medical expenses, future earnings and benefits, costs of suit,  
11 embarrassment and anguish, all to his damage in an amount according to proof.

12 55. Defendants committed the despicable acts, as herein alleged, maliciously, fraudulently, and  
13 oppressively, with the wrongful intent of injuring Plaintiff, and have acted with an improper and evil  
14 motive amounting to malice, and in conscious disregard of Plaintiff's rights. Because the despicable acts  
15 taken toward Plaintiff were carried out by managerial employees and/or "managing agents," acting in  
16 a deliberate, cold, callous and intentional manner in order to injure and damage Plaintiff, she is entitled  
17 to recover punitive damages from Defendants in an amount according to proof.

18 WHEREFORE, Plaintiff prays for relief as set forth herein.

19 **PRAYER FOR RELIEF**

20 Wherefore Plaintiff prays for judgment against Defendants, and each of them, as follows:

21 1. For a money judgment representing compensatory damages including lost wages, earnings,  
22 retirement benefits and other employee benefits, and all other sum of money, together with interest on  
23 these amounts, according to proof;

24 2. For an award of money judgment for mental pain and anguish and emotional distress, according  
25 to proof;

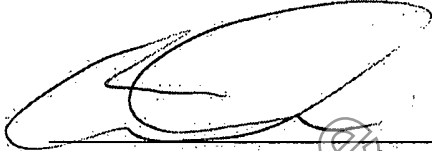
26 3. For punitive damages;

27 4. For costs of suit and attorney fees;

1 5. For prejudgment and post-judgment interest; and

2 6. For any other relief that is just and proper.

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7 Dated: 11/7/16

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9 Joong Y. Im, Attorney for Plaintiff YURY  
10 KAMENETSKY  
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Courthouse News Service

# EXHIBIT A



**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

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

DIRECTOR KEVIN KISH

October 31, 2016

**RE: Notice to Complainant or Complainant's Attorney**

DFEH Matter Number: 492966-259811

Right to Sue: Kamenetsky / Kaiser Foundation Hospitals, Inc.

Dear Complainant or Complainant's Attorney:

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

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

Sincerely,

Department of Fair Employment and Housing



**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

DIRECTOR KEVIN KISH

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

October 31, 2016

**RE: Notice of Filing of Discrimination Complaint**

DFEH Matter Number: 492966-259811

Right to Sue: Kamenetsky / Kaiser Foundation Hospitals, Inc.

To All Respondent(s):

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

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

**No response to DFEH is requested or required.**

Sincerely,

Department of Fair Employment and Housing



**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

DIRECTOR KEVIN KISH

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

October 31, 2016

Yuri Kamenetsky  
3079 Welwyn Place  
Walnut Creek, California 94598

**RE: Notice of Case Closure and Right to Sue**

DFEH Matter Number: 492966-259811

Right to Sue: Kamenetsky / Kaiser Foundation Hospitals, Inc.

Dear Yuri Kamenetsky,

This letter informs you that the above-referenced complaint was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective October 31, 2016 because an immediate Right to Sue notice was requested. DFEH will take no further action on the complaint.

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

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

Sincerely,

Department of Fair Employment and Housing



STATE OF CALIFORNIA | Business, Consumer Services and Housing Agency

GOVERNOR EDMUND G. BROWN JR.

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

DIRECTOR KEVIN KISH

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

Enclosures

cc: The Permanente Medical Group, Inc.

Courthouse News Service



1 COMPLAINT OF EMPLOYMENT DISCRIMINATION  
2 BEFORE THE STATE OF CALIFORNIA  
3 DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING  
4 Under the California Fair Employment and Housing Act  
(Gov. Code, § 12900 et seq.)  
5

6 In the Matter of the Complaint of  
7 Yuri Kamenetsky, Complainant.  
8 3079 Welwyn Place  
9 Walnut Creek, California 94598

DFEH No. 492966-259811

10 vs.

11 Kaiser Foundation Hospitals, Inc., Respondent.  
12 C/o CT Corporation System, One Kaiser Plaza  
Oakland, California 94612

13  
14 Complainant alleges:

15 1. Respondent Kaiser Foundation Hospitals, Inc. is a Private Employer subject to suit under the California  
16 Fair Employment and Housing Act (FEHA) (Gov. Code, § 12900 et seq.). Complainant believes respondent is  
subject to the FEHA.

17 2. On or around March 01, 2016, complainant alleges that respondent took the following adverse actions  
18 against complainant: Discrimination Terminated, . Complainant believes respondent committed these actions  
19 because of their: Age - 40 and over, Disability, Family Care or Medical Leave, Medical Condition -  
Including cancer or cancer related medical condition or genetic characteristics .

20 3. Complainant Yuri Kamenetsky resides in the City of Walnut Creek, State of California. If complaint  
includes co-respondents please see below.  
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**Co-Respondents:**

The Permanente Medical Group, Inc.

C/o Kristin C. Chambers, 1950 Franklin St.  
Oakland California 94612

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**Additional Complaint Details:**

Complainant believes that he was terminated from employment due to his age and/or disability.

Courthouse News Service

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VERIFICATION

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

On October 31, 2016, I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

San Francisco, CA  
**Joong Y. Im**