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15 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
16 **FOR THE COUNTY OF ALAMEDA**

17 JASMIN WILSON, an Individual;
18 MONTIECO JUSTICE, an Individual; TERI
19 MITCHELL, an Individual; KEVIN
20 SWANSON, an Individual; NATHANIEL
21 AZIEL GONSALVES, an Individual;
22 TRISTIAN IRIZARRY, an Individual; ETAH
23 ALLAH, an Individual; CHERRICE
24 HOUSTON-GODFREY, an Individual;
25 KABIRU ALOWONLE, an Individual;
26 LARRY MORRIS, an Individual; PARADICE
27 BROOKS, an Individual; TYRON AGHEDO,
28 an Individual; PAULA FORD, an Individual;
ANTHONY HILL, an Individual; JADA
BROWN, an Individual;

Plaintiffs,

vs.

ELECTRONICALLY FILED
Superior Court of California,
County of Alameda
06/30/2022 at 09:48:08 AM
By: Xian-xii Bowie,
Deputy Clerk

CASE NO. **22CV013603**

COMPLAINT FOR DAMAGES

1. **RACIAL DISCRIMINATION (Govt Code §§12940 et. seq.)**
2. **RACIAL DISCRIMINATION (Unruh Civil Rights Act)**
3. **RACIAL HARASSMENT (Govt Code §§12940 et. seq.)**
4. **RETALIATION (Cal. Labor Code §1102.5)**
5. **RETALIATION (Unruh Civil Rights Act)**
6. **RETALIATION (Cal. Govt Code 12940 (h))**

1 TESLA, INC., doing business in California as
2 TESLA MOTORS, INC.; CEVEN DOE, an
3 Individual; JUDY DOE, an Individual; MARIA
4 DOE, an Individual; ANTHONY DOE, an
5 Individual; MELO DOE, an Individual;
6 CHRISTINE DOE, an Individual; ARNOLD
7 DOE, an Individual; CLINTON DOE, an
8 Individual; ANTONIO DOE, an Individual;
9 JAMES DOE, an Individual; DEREK DOE, an
10 Individual; ANTHONY ROE, an Individual;
11 BEHROZE DOE, an Individual; VICTOR
12 DOE, an Individual; NORA DOE, an
13 Individual; MATT DOE, an Individual; BILL
14 DOE, an Individual; JASON DOE, an
15 Individual; RODNEY DOE, an Individual;
16 ANDRES TORRES, an Individual; FRED
17 BEHRENS, an Individual; BRITTNEY
18 STINSON, an Individual; FRED DOE, an
19 Individual; SANKAR DOE, an Individual;
20 SHAUN DOE, an Individual; NICK DOE, an
21 Individual; JULIO DOE, an Individual; MINH
22 DOE, an Individual; LOUIS DOE, an
23 Individual; ROB DOE, an Individual; PHIL
24 DOE, an Individual; GERALDINE DOE, an
25 Individual; MIGUEL DOE, an Individual;
26 MICHAEL DOE, an Individual; ANTHONY
27 MOE, an Individual; FERNANDA DOE, an
28 Individual; EMETTE DOE, an Individual;
BRITTNEY DOE, an Individual; JORDAN
DOE, an Individual; RICK DOE, an Individual;
ZERU DOE, an Individual; JASON ROE, an
Individual; TOAN DOE, an Individual;
JASMIN DOE, an Individual; JOSH DOE, an
Individual; and DOES 1 through 100, Inclusive,

Defendants.

- 7. INTERFERENCE WITH CONSTITUTIONAL RIGHTS
- 8. FAILURE TO PREVENT DISCRIMINATION AND HARASSMENT
- 9. NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
- 10. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
- 11. NEGLIGENT HIRING, RETENTION AND SUPERVISION
- 12. WRONGFUL TERMINATION
- 13. CONSTRUCTIVE TERMINATION

24 **COME NOW**, PLAINTIFFS, who complain and allege as follows:

25 **I.**

26 **BACKGROUND**

27 1. This is a case of racially motivated harassment and intimidation in which the
28 Tesla factories have been systematically turned into a racially hostile work environment. The

1 Defendants have not only refused to take the necessary steps to prevent and eliminate such
2 racial harassment and intimidation but rather, have affirmatively obstructed attempts to
3 remedy the harassment which is rampant in Tesla’s factories. Each Plaintiff named herein
4 has been harmed by Tesla’s environment of perpetual discrimination, harassment, retaliation
5 and hostility.

6 **II.**

7 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

8 2. PLAINTIFFS have each fully and timely exhausted his/her/their statutory
9 administrative remedies. A true and correct copy of each PLAINTIFFS’ Right-to-Sue Notice
10 is attached to this Complaint as Exhibit “A.”

11 **III.**

12 **PARTIES**

13 3. Plaintiff JASMIN WILSON (hereinafter “WILSON”) was at all relevant times
14 a resident of the State of California, County of Solano, and an employee of Defendant
15 TESLA, INC. doing business in California as TESLA MOTORS, INC. (“TESLA”).

16 4. Plaintiff, MONTIECO JUSTICE (hereinafter “JUSTICE”) was at all relevant
17 times a resident of the State of California, County of Contra Costa, and an employee of
18 Defendant TESLA.

19 5. Plaintiff TERI MITCHELL (hereinafter “MITCHELL”) was at all relevant
20 times a resident of the State of California, County of Santa Clara, and an employee of
21 Defendant TESLA.

22 6. Plaintiff KEVIN SWANSON (hereinafter “SWANSON”) was at all relevant
23 times a resident of the State of California, County of Solano, and an employee of Defendant
24 TESLA.

25 7. Plaintiff NATHANIEL AZIEL GONSALVES (hereinafter “GONSALVES”) was at all relevant
26 times a resident of the State of California, County of San Joaquin, and an
27 employee of Defendant TESLA.

28 8. Plaintiff TRISTIAN IRIZARRY (hereinafter “IRIZARRY”) was at all relevant

1 times a resident of the State of California, County of Santa Clara, and an employee of
2 Defendant TESLA.

3 9. Plaintiff ETAH ALLAH (hereinafter “ALLAH”) was at all relevant times a
4 resident of the State of California, County of Alameda, and an employee of Defendant
5 TESLA.

6 10. Plaintiff CHERRICE HOUSTON-GODFREY (hereinafter “HOUSTON-
7 GODFREY”) was at all relevant times a resident of the State of California, County of
8 Alameda, and an employee of Defendant TESLA.

9 11. Plaintiff KABIRU ALOWONLE (hereinafter “ALOWONLE”) was at all
10 relevant times a resident of the State of California, County of Alameda, and an employee of
11 defendant TESLA.

12 12. Plaintiff LARRY MORRIS (hereinafter “MORRIS”) was at all relevant times
13 a resident of the State of California, County of Santa Clara, and an employee of defendant
14 TESLA.

15 13. Plaintiff PARADICE BROOKS (hereinafter “BROOKS”) was at all relevant
16 times a resident of the State of California, County of San Francisco, and an employee of
17 defendant TESLA.

18 14. Plaintiff TYRON AGHEDO (hereinafter “AGHEDO”) was at all relevant
19 times a resident of the State of California, County of San Joaquin, and an employee of
20 defendant TESLA.

21 15. Plaintiff PAULA FORD (hereinafter “FORD”) was at all relevant times a
22 resident of the State of California, County of Alameda, and an employee of defendant
23 TESLA.

24 16. Plaintiff ANTHONY HILL (hereinafter “HILL”) was at all relevant times a
25 resident of the State of California, County of Santa Clara, and an employee of defendant
26 TESLA.

27 17. Plaintiff JADA BROWN (hereinafter “BROWN”) was at all relevant times a
28 resident of the State of California, County of Contra Costa, and an employee of defendant

1 TESLA.

2 18. Plaintiffs WILSON, JUSTICE, MITCHELL, SWANSON, GONSALVES,
3 IRIZARRY, ALLAH, HOUSTON-GODFREY, ALOWONLE, MORRIS, BROOKS,
4 AGHEDO, FORD, HILL and BROWN are sometimes collectively referred to herein as
5 “PLAINTIFFS”.

6 19. Defendant TESLA, INC. doing business in California as TESLA MOTORS,
7 INC. is now and was at all times relevant to this complaint, a Delaware corporation operating
8 in and under the laws of the State of California and conducting business throughout
9 California. Up until December 1, 2021, TESLA’s corporate headquarters were located at
10 3500 Deer Creek Road, Palo Alto, California 94304. TESLA designs, manufactures, and sells
11 electric vehicles and solar panels.

12 20. As of this filing, TESLA operates out of numerous factories in California,
13 including two electric vehicle manufacturing factories located in Fremont, California and in
14 Lathrop, California, and a solar and storage factory located at Foster City, California. The
15 Fremont factory, located at 45500 Fremont Blvd., Fremont, California 94538, is the original
16 site of TESLA’s electric vehicle production. The Lathrop factory is located at 18280 S. Haran
17 Road, Lathrop CA 95330. TESLA’s Solar and Storage factory is located at Foster City
18 Boulevard, Foster City, California 94404. The harassing conduct at issue took place at each
19 location. Due to TESLA’s ownership of these locations, its day-to-day managerial role in
20 the several factories, its right to hire, fire and discipline the employees, and its control of all
21 terms and conditions of PLAINTIFFS’ employment, TESLA is PLAINTIFFS’ FEHA
22 employer, or alternatively, a joint employer, which provides employment pursuant to
23 contract.

24 21. At all times relevant to this Complaint, TESLA was an “employer” subject to
25 the California Fair Employment and Housing Act (“FEHA”) and all other applicable statutes.

26 22. Defendant ANTHONY ROE (hereinafter “ANTHONY ROE”) was at all
27 relevant times a resident of the State of California, and a managing agent of Defendant
28 TESLA. Defendant ANTHONY ROE was at all relevant times a Manager to Plaintiff

1 WILSON.

2 23. Defendant BEHROZE DOE (hereinafter “BEHROZE DOE”) was at all
3 relevant times a resident of the State of California, and a managing agent of Defendant
4 TESLA. Defendant BEHROZE DOE was at all relevant times a Supervisor to Plaintiff
5 WILSON.

6 24. Defendant VICTOR DOE (hereinafter “VICTOR DOE”) was at all relevant
7 times a resident of the State of California, and a managing agent of Defendant TESLA.
8 Defendant VICTOR DOE was at all relevant times a Lead to Plaintiff WILSON.

9 25. Defendant NORA DOE (hereinafter “NORA DOE”) was at all relevant times
10 a resident of the State of California, and a managing agent of Defendant TESLA. Defendant
11 NORA DOE was at all relevant times a Manager to Plaintiff WILSON.

12 26. Defendant MATT DOE (hereinafter “MATT DOE”) was at all relevant times
13 a resident of the State of California, and a managing agent of Defendant TESLA. Defendant
14 MATT DOE was at all relevant times a Manager to Plaintiff WILSON.

15 27. Defendant BILL DOE (hereinafter “BILL DOE”) was at all relevant times a
16 resident of the State of California, and a managing agent of Defendant TESLA. Defendant
17 BILL DOE was at all relevant times a Manager to Plaintiff WILSON.

18 28. Defendant ANTONIO DOE (hereinafter “ANTONIO DOE”) was at all
19 relevant times a resident of the State of California, and a managing agent of Defendant
20 TESLA. Defendant ANTONIO DOE was at all relevant times a Supervisor to Plaintiff
21 JUSTICE.

22 29. Defendant CEVEN DOE (hereinafter “CEVEN DOE”) was at all relevant
23 times a resident of the State of California, and a managing agent of Defendant TESLA.
24 Defendant CEVEN DOE was at all relevant times a Supervisor to Plaintiff MITCHELL.

25 30. Defendant JUDY DOE (hereinafter “JUDY DOE”) was at all relevant times a
26 resident of the State of California, and a managing agent of Defendant TESLA. Defendant
27 JUDY DOE was at all relevant times a Lead to Plaintiff MITCHELL.

28 31. Defendant MARIA DOE (hereinafter “MARIA DOE”) was at all relevant

1 times a resident of the State of California, and a managing agent of Defendant TESLA.
2 Defendant MARIA DOE was at all relevant times a Lead to Plaintiff MITCHELL.

3 32. Defendant ANTHONY DOE (hereinafter “ANTHONY DOE”) was at all
4 relevant times a resident of the State of California, and a managing agent of Defendant
5 TESLA. Defendant ANTHONY DOE was at all relevant times a Supervisor to Plaintiff
6 SWANSON.

7 33. Defendant MELO DOE (hereinafter “MELO DOE”) was at all relevant times
8 a resident of the State of California, and a managing agent of Defendant TESLA. Defendant
9 MELO DOE was at all relevant times a Lead to Plaintiff SWANSON.

10 34. Defendant CHRISTINE DOE (hereinafter “CHRISTINE DOE”) was at all
11 relevant times a resident of the State of California, and a managing agent of Defendant
12 TESLA. Defendant CHRISTINE DOE was at all relevant times a Lead to Plaintiff
13 SWANSON.

14 35. Defendant ARNOLD DOE (hereinafter “ARNOLD DOE”) was at all relevant
15 times a resident of the State of California, and a managing agent of Defendant TESLA.
16 Defendant ARNOLD DOE was at all relevant times a Lead to Plaintiff SWANSON.

17 36. Defendant CLINTON DOE (hereinafter “CLINTON DOE”) was at all relevant
18 times a resident of the State of California, and a managing agent of Defendant TESLA.
19 Defendant CLINTON DOE was at all relevant times a Supervisor to Plaintiff GONSALVEZ.

20 37. Defendant JAMES DOE (hereinafter “JAMES DOE”) was at all relevant times
21 a resident of the State of California, and a managing agent of Defendant TESLA. Defendant
22 JAMES DOE was at all relevant times a Supervisor to Plaintiff GONSALVEZ.

23 38. Defendant DEREK DOE (hereinafter “DEREK DOE”) was at all relevant
24 times a resident of the State of California, and a managing agent of Defendant TESLA.
25 Defendant DEREK DOE was at all relevant times a Supervisor to Plaintiff IRIZARRY.

26 39. Defendant JASON DOE (hereinafter “JASON DOE”) was at all relevant times
27 a resident of the State of California, and a managing agent of Defendant TESLA. Defendant
28 JASON DOE was at all relevant times a Lead to Plaintiff ALLAH.

1 40. Defendant RODNEY DOE (hereinafter “RODNEY DOE”) was at all relevant
2 times a resident of the State of California, and a managing agent of Defendant TESLA.
3 Defendant RODNEY DOE was at all relevant times a Supervisor to Plaintiff ALLAH.

4 41. Defendant ANDRES TORRES (hereinafter “TORRES”) was at all relevant
5 times a resident of the State of California, and a managing agent of Defendant TESLA.
6 Defendant TORRES was at all relevant times a Supervisor to Plaintiff HOUSTON-GODREY
7 and Plaintiff FORD.

8 42. Defendant FRED BEHRENS (hereinafter “BEHRENS”) was at all relevant
9 times a resident of the State of California, and a managing agent of Defendant TESLA.
10 Defendant BEHRENS was at all relevant times a Manager to Plaintiff HOUSTON-GODREY
11 and Plaintiff FORD.

12 43. Defendant BRITTNEY STINSON (hereinafter “STINSON”) was at all
13 relevant times a resident of the State of California, and a managing agent of Defendant
14 TESLA. Defendant STINSON was at all relevant times a Human Resources agent to Plaintiff
15 HOUSTON-GODREY.

16 44. Defendant FRED DOE (hereinafter “FRED DOE”) was at all relevant times a
17 resident of the State of California, and a managing agent of Defendant TESLA. Defendant
18 FRED DOE was at all relevant times a Manger agent to Plaintiff FORD.

19 45. Defendant SANKAR DOE (hereinafter “SANKAR DOE”) was at all relevant
20 times a resident of the State of California, and a managing agent of Defendant TESLA.
21 Defendant SANKAR DOE was at all relevant times a Manager to Plaintiff ALOWONLE.

22 46. Defendant SHAUN DOE (hereinafter “SHAUN DOE”) was at all relevant
23 times a resident of the State of California, and a managing agent of Defendant TESLA.
24 Defendant SHAUN DOE was at all relevant times a Manager to Plaintiff ALOWONLE.

25 47. Defendant NICK DOE (hereinafter “NICK DOE”) was at all relevant times a
26 resident of the State of California, and a managing agent of Defendant TESLA. Defendant
27 NICK DOE was at all relevant times a Lead to Plaintiff MORRIS.

28 48. Defendant JULIO DOE (hereinafter “JULIO DOE”) was at all relevant times

1 a resident of the State of California, and a managing agent of Defendant TESLA. Defendant
2 JULIO DOE was at all relevant times a Supervisor to Plaintiff MORRIS.

3 49. Defendant MINH DOE (hereinafter “MINH DOE”) was at all relevant times a
4 resident of the State of California, and a managing agent of Defendant TESLA. Defendant
5 MINH DOE was at all relevant times a Supervisor to Plaintiff MORRIS.

6 50. Defendant LOUIS DOE (hereinafter “LOUIS DOE”) was at all relevant times
7 a resident of the State of California, and a managing agent of Defendant TESLA. Defendant
8 LOUIS DOE was at all relevant times a Lead to Plaintiff AGHEDO.

9 51. Defendant ROB DOE (hereinafter “ROB DOE”) was at all relevant times a
10 resident of the State of California, and a managing agent of Defendant TESLA. Defendant
11 ROB DOE was at all relevant times an Assistant Manager to Plaintiff AGHEDO.

12 52. Defendant PHIL DOE (hereinafter “PHIL DOE”) was at all relevant times a
13 resident of the State of California, and a managing agent of Defendant TESLA. Defendant
14 PHIL DOE was at all relevant times a Supervisor to Plaintiff AGHEDO.

15 53. Defendant GERALDINE DOE (hereinafter “GERALDINE DOE”) was at all
16 relevant times a resident of the State of California, and a managing agent of Defendant
17 TESLA. Defendant GERALDINE DOE was at all relevant times a Lead to Plaintiff
18 AGHEDO.

19 54. Defendant MIGUEL DOE (hereinafter “MIGUEL DOE”) was at all relevant
20 times a resident of the State of California, and a managing agent of Defendant TESLA.
21 Defendant MIGUEL DOE was at all relevant times a Lead to Plaintiff AGHEDO.

22 55. Defendant ANTHONY MOE (hereinafter “ANTHONY MOE”) was at all
23 relevant times a resident of the State of California, and a managing agent of Defendant
24 TESLA. Defendant ANTHONY MOE was at all relevant times a Human Resources agent to
25 Plaintiff AGHEDO.

26 56. Defendant FERNANDA DOE (hereinafter “FERNANDA DOE”) was at all
27 relevant times a resident of the State of California, and a managing agent of Defendant
28 TESLA. Defendant FERNANDA DOE was at all relevant times a Human Resources agent

1 to Plaintiff AGHEDO.

2 57. Defendant MICHAEL DOE (hereinafter “MICHAEL DOE”) was at all
3 relevant times a resident of the State of California, and a managing agent of Defendant
4 TESLA. Defendant MICHAEL DOE was at all relevant times a Human Resources agent to
5 Plaintiff AGHEDO.

6 58. Defendant EMETTE DOE (hereinafter “EMETTE DOE”) was at all relevant
7 times a resident of the State of California, and a managing agent of Defendant TESLA.
8 Defendant EMETTE DOE was at all relevant times a Human Resources agent to Plaintiff
9 HILL.

10 59. Defendant BRITTNEY DOE (hereinafter “BRITTNEY DOE”) was at all
11 relevant times a resident of the State of California, and a managing agent of Defendant
12 TESLA. Defendant BRITTNEY DOE was at all relevant times a Human Resources agent to
13 Plaintiff HILL.

14 60. Defendant JORDAN DOE (hereinafter “JORDAN DOE”) was at all relevant
15 times a resident of the State of California, and a managing agent of Defendant TESLA.
16 Defendant JORDAN DOE was at all relevant times a Human Resources agent to Plaintiff
17 HILL.

18 61. Defendant RICK DOE (hereinafter “RICK DOE”) was at all relevant times a
19 resident of the State of California, and a managing agent of Defendant TESLA. Defendant
20 RICK DOE was at all relevant times a Supervisor to Plaintiff HILL.

21 62. Defendant ZERU DOE (hereinafter “ZERU DOE”) was at all relevant times a
22 resident of the State of California, and a managing agent of Defendant TESLA. Defendant
23 ZERU DOE was at all relevant times a Supervisor to Plaintiff HILL.

24 63. Defendant JASON ROE (hereinafter “JASON ROE”) was at all relevant times
25 a resident of the State of California, and a managing agent of Defendant TESLA. Defendant
26 JASON ROE was at all relevant times a Manager to Plaintiff HILL.

27 64. Defendant TOAN DOE (hereinafter “TOAN DOE”) was at all relevant times
28 a resident of the State of California, and a managing agent of Defendant TESLA. Defendant

1 TOAN DOE was at all relevant times a Supervisor to Plaintiff BROWN.

2 65. Defendant JASMIN DOE (hereinafter “JASMIN DOE”) was at all relevant
3 times a resident of the State of California, and a managing agent of Defendant TESLA.
4 Defendant JASMIN DOE was at all relevant times a Supervisor to Plaintiff BROWN.

5 66. Defendant JOSH DOE (hereinafter “JOSH DOE”) was at all relevant times a
6 resident of the State of California, and a managing agent of Defendant TESLA. Defendant
7 JOSH DOE was at all relevant times a Supervisor to Plaintiff BROWN.

8 67. DEFENDANTS DOES 1 through 100, inclusive, are sued herein pursuant to
9 Code of Civil Procedure §474. PLAINTIFFS are ignorant of the true names or capacities of
10 the DEFENDANTS sued herein under the fictitious names DOES 1 through 100, inclusive.
11 PLAINTIFFS will amend this Complaint to allege their true names and capacities when the
12 same are ascertained. PLAINTIFFS are informed, believe, and allege that each of the
13 fictitiously named Defendants are legally responsible for the occurrences, injuries, and
14 damages herein.

15 68. TESLA, its managing agents identified in paragraphs 22 to 66 of this
16 Complaint, and DOES 1 through 100, inclusive, are collectively referred to herein as
17 “DEFENDANTS”.

18 69. PLAINTIFFS are informed, believe, and allege that at all relevant times, each
19 Defendant is, and was, the director, agent, employee, and/or representative of every other
20 Defendant and acted within the course and scope of their agency, service, employment,
21 and/or representation, and that each Defendant herein is jointly and severally responsible and
22 liable to the PLAINTIFFs for damages hereinafter alleged. At all relevant times, there
23 existed a unity of ownership and interest between or among two or more of the Defendants
24 such that any individuality and separateness between or among those Defendants ceased, and
25 Defendants are the alter egos of one another. Defendants exercised domination and control
26 over one another to such an extent that any individuality or separateness of Defendants does
27 not, and at all times herein mentioned did not, exist. All of the acts and failures to act alleged
28 herein were duly performed by and attributed to all Defendants, each acting as the joint

1 employer as Defendants jointly supervised and controlled workers’ conditions of
 2 employment, determined assignments, rate of pay or method of payment, had authority to
 3 hire or fire workers, and maintained employment records. All actions of all Defendants were
 4 taken by workers, supervisors, executives, officers, and directors during employment with
 5 all Defendants, were taken on behalf of all Defendants, and were engaged in, authorized,
 6 ratified, and approved by all other Defendants.

7 **IV.**

8 **GENERAL FACTUAL ALLEGATIONS**

9 70. TESLA stands as the largest and highest-profile electric car company in the
 10 world, however, its standard operating procedures include blatant, open and unmitigated race
 11 discrimination. Racial harassment and discrimination have run rampant and continue to do
 12 so at TESLA despite DEFENDANTS’ knowledge of the harassment and/or discrimination,
 13 and DEFENDANTS have done little to nothing to reasonably prevent or stop this toxic
 14 behavior and work environment.

15 71. DEFENDANTS have a practice of creating and/or failing to prevent a hostile
 16 work environment at TESLA. PLAINTIFFS, who African-American employees, have been
 17 subjected to offensive racist comments and offensive racist behavior and discipline by
 18 colleagues, leads, supervisors, managers, and/or Human Resources personnel on a daily
 19 basis.

20 72. Throughout their employment with TESLA, PLAINTIFFS were targeted for
 21 harassment on the basis of their race. The harassment included being called “Nigger”,
 22 “Nigga”, “Boy” and other racially derogatory terms on a regular basis as well as observing
 23 other employees enduring the same treatment.

24 73. PLAINTIFFS were confronted with racist writings while working at TESLA,
 25 including racist graffiti, including but not limited to “NIGGER/NIGGA,” “KKK,” and
 26 swastikas written on TESLA restroom walls, restroom stalls, lockers, benches, workstations,
 27 breakrooms, and tables. These racial slurs were apparent to all who walked by, were left up
 28 for months at a time, without TESLA bothering to remove them or address the issue.

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Plaintiff JASMIN WILSON

74. At all times relevant, Plaintiff WILSON was employed by TESLA, at its Fremont, California factory, beginning August 25, 2021, as a quality inspector, until her ultimate resignation on March 30, 2022. WILSON is an African-American woman.

75. The harassment towards WILSON began shortly after she began working in the GA.4 department, where she was cat-called and racially and sexually harassed by coworkers and leads at the department.

76. WILSON found her employment at TESLA increasingly difficult to enjoy due to the daily racist epithets and harassment that she had to endure throughout her shifts. WILSON’s leads, supervisors, and managers continuously targeted her on the basis of her race.

77. The majority of African-American employees working at TESLA are hired as production associates, working labor-intensive assignments. Due to this racist hiring practice, many African American individuals working at TESLA are *automatically assumed* to be production associates. Many times, African American employees are admonished for “not doing their jobs as production associates” when in fact, the employees were not production associates.

78. Defendants ANTHONY DOE, a manager at TESLA, and BEHROZE DOE, supervisor at TESLA, assumed WILSON was a production associate and accused her of neglecting the responsibilities of a production associate. WILSON was a quality inspector, who had to obtain the required certifications in order to work in the position. Production associates, on the other hand, are generally entry-level jobs held by African-American individuals. The quality inspector position is seen as a higher title than a production associate position.

79. Defendants ANTHONY DOE and BEHROZE DOE instinctively assumed WILSON worked as a production associate by the color of her skin. Defendant BEHROZE DOE questioned WILSON regarding her duties and admonished her for not wearing the required TESLA production associate uniform. WILSON advised Defendant BEHROZE

1 DOE that she was a quality inspector and therefore was not required to wear TESLA
2 production associate uniform. Defendants ANTHONY DOE and BEHROZE DOE’s
3 automatic assumption regarding WILSON’s position is the direct result of TESLA’s racist
4 hiring practices and culture.

5 80. Further, Lavell Doe, a production associate assigned to the same department
6 as WILSON, made comments to WILSON on the basis of her appearance as a black woman,
7 including that he “liked [WILSON’s] booty,” and “damn girl, you hella thick.” These
8 statements were made in the presence of Defendant VICTOR DOE, a Lead in the production
9 associate department and Defendant NORA DOE, WILSON’s direct Manager. Defendants
10 VICTOR DOE and NORA DOE not only failed to take appropriate action to address the
11 racial and sexual harassment, but they further encouraged and joined in on Lavell Doe’s
12 harassment. Rather than properly addressing the racial and sexual harassment, Defendant
13 VICTOR DOE joined in on the harassment towards WILSON by repeating Lavell Doe’s
14 statement, “[Lavell Doe] likes [your] booty”.

15 81. Feeling embarrassed, violated and helpless, WILSON began to walk away.
16 The harassment did not stop there.

17 82. Not only did Defendant NORA DOE fail to take any appropriate action to
18 address the harassment towards WILSON, instead, she also joined in on the harassment and
19 blamed WILSON, who was the victim, for the harassment against her.

20 83. As WILSON was walking away from Defendant VICTOR DOE, NORA DOE
21 and Lavell Doe, NORA DOE mocked WILSON, stating “See? If you girls don’t look like
22 that this wouldn’t have happened.”

23 84. In shock, WILSON questioned what Defendant NORA DOE meant.
24 Defendant NORA DOE escalated the harassment by stating, “your *type of girls* love wearing
25 long nails and eyelashes.” When WILSON questioned what Defendant NORA DOE meant
26 by “your type of girls...,” Defendant NORA DOE replied, “Black girls. You all love having
27 your long nails done.”

28 85. Due to Defendant NORA DOE’s failure to rectify the racial and sexual

1 harassment towards WILSON, WILSON reported the incidents concerning racial
2 discrimination and harassment to Manager Angela Doe and Supervisor Matt Doe, who
3 advised her that TESLA HR will contact and interview her.

4 86. As time passed, WILSON did not hear from TESLA HR and continued to
5 endure the harassment to her. Finally, with the assistance of another Lead, TESLA HR
6 conducted an interview with WILSON.

7 87. However, the interview with TESLA HR felt more like an interrogation than
8 an interview. Rather than letting WILSON tell her side of the story, the TESLA HR
9 personnel questioned *why* the harassment occurred and *how* she felt that was harassment,
10 rather than addressing the fact that racial and sexual harassment did in fact occur to no fault
11 of WILSON's. After the interrogation-like interview, WILSON was advised that there would
12 be an investigation and to wait for the results. To date, WILSON has yet to receive any
13 updates regarding the investigation.

14 88. Defendant NORA DOE targeted WILSON as a retaliation tactic after WILSON
15 reported instances of harassment to TESLA HR. Defendant NORA DOE, although present
16 and witnessed the harassment against WILSON, failed to report the harassment to higher
17 authorities, such as TESLA HR. Plaintiff WILSON alleges that Defendant NORA DOE's
18 refusal/failure to report the harassment was racially motivated. Even after WILSON reported
19 the harassment she suffered to TESLA HR, Defendant NORA DOE continued to target
20 WILSON on the basis of her race.

21 89. Defendant NORA DOE's harassment against WILSON included the creation
22 of policies that are specifically unfavorable to WILSON's immediate circumstances and/or
23 requests. For example, WILSON had an unfortunate death in her family and requested
24 bereavement leave. WILSON obtained the required approval by TESLA to take bereavement
25 leave and was requested by TESLA to send a copy of the obituary thereafter.

26 90. WILSON then notified Defendant NORA DOE that, due to the death of her
27 family, she cannot work overtime as scheduled. Defendant NORA DOE immediately created
28 a policy and stated, "as of today the new policy is to treat missing overtime the same as

1 missing regular days, which will mean points are deducted.”

2 91. WILSON was not aware of any such policy prior to her request for
3 bereavement leave. This new policy was implemented immediately after WILSON’s request
4 for leave. According to TESLA’s policies, an employee whose points are deducted will not
5 be considered for promotions, bonuses, and/or transfers for a prolonged period of time.

6 92. Defendant NORA DOE continuously targeted WILSON’s appearance as a
7 black woman. Defendant NORA DOE harassed her for wearing her nails long and having
8 eyelash extensions, and threatened discipline and termination for having long nails and
9 eyelash extensions, although WILSON was clearly advised by Manager Angela Doe that
10 those rules did not apply to WILSON as she was a quality inspector.

11 93. Defendant MATT DOE, WILSON’s manager at TESLA, also began targeting
12 WILSON on the basis of her race. WILSON was told by Defendant MATT DOE to “get
13 [her] black ass up” during WILSON’s breaktime. WILSON, upset and offended, asked
14 Defendant MATT DOE why he had to make such a statement. Defendant MATT DOE
15 responds, “well you are black, aren’t you?”

16 94. Further, when WILSON requested instructions or information relating to her
17 duties at TESLA, or when WILSON would state that she does not understand how to do
18 certain tasks, Defendant MATT DOE responds, “that’s what *you guys all* like to say,”
19 insinuating that all African-American workers say that they do not understand how to
20 perform a certain task as an excuse for not completing a task.

21 95. Like Defendant NORA DOE, Defendant MATT DOE also targeted WILSON
22 based on her appearance as a black woman. Defendant MATT DOE targeted WILSON for
23 wearing her hair long. Defendant MATT DOE said to WILSON: “Black girls don’t usually
24 have long hair, you always like to wear your hair that long.”

25 96. Also, like Defendant NORA DOE, Defendant MATT DOE proceeded to create
26 new policies or rules which were unfavorable to WILSON based on her immediate
27 circumstances and/or requests. In addition to making comments regarding the appearance of
28 WILSON’s hair, Defendant MATT DOE added, “Your long hair is not appropriate for work,

1 you need to follow the rules.” WILSON was advised by Manager Angela Doe that those
2 rules did not apply to WILSON because WILSON was a quality inspector and those rules
3 only applied to production associates.

4 97. Distraught, WILSON reported the incident involving Defendant MATT DOE
5 to Defendant BILL DOE, who was Defendant MATT DOE’s Manager. Instead of taking
6 actions to ensure that WILSON will no longer be subjected to racial discrimination and
7 harassment at TESLA, Defendant BILL DOE said to WILSON, “Matt is from a military
8 family, that’s just the way he talks.” No action was taken by Defendant BILL DOE to address
9 Defendant MATT DOE ’s misconduct against WILSON.

10 98. As such, WILSON told Defendant BILL DOE that she will escalate her reports
11 of the racially discriminatory actions against her to TESLA HR. However, Defendant BILL
12 DOE *assured* WILSON that “this will not go further and will stop here at management.” He
13 further misled WILSON to believe that she had no other recourse, by stating, “This is the
14 chain of command, you don’t need to go to Human Resources.” Defendant BILL DOE further
15 requested WILSON to address any future issues with Defendant NORA DOE, despite the
16 fact that Defendant NORA DOE was one of the perpetrators.

17 99. WILSON repeatedly requested to transfer to another department with the
18 hopes of avoiding further hostility. Each time she pled for a transfer to another department,
19 she was denied the opportunity. In fact, WILSON requested a transfer because she no longer
20 felt safe at her department. She expressed concerns for her safety to her leads, supervisors
21 and managers after an incident in which she witnessed, wherein she protected, an employee
22 from being stabbed with a knife by another employee in her department. Her cries for help
23 were repeatedly ignored and her requests to transfer were repeatedly denied.

24 100. In fact, TESLA advised WILSON that her requests to transfer were
25 continuously denied because of the points which were deducted for missing the overtime
26 shifts during her bereavement leave, despite the fact that her bereavement leave was approved
27 by TESLA. Each time WILSON tried to clarify that her points were mistakenly deducted,
28 she was requested to speak to TESLA HR. However, TESLA’s HR was not made available

1 to WILSON as the department is closed during WILSON’s assigned shifts.

2 101. WILSON was forced to endure TESLA’s racial harassment and discrimination
 3 against her until she could no longer tolerate it. On March 30, 2022, she resigned.

4 102. After WILSON’s resignation, TESLA advised WILSON that TESLA denied
 5 WILSON’s COVID-19 supplemental paid sick leave, despite the fact that WILSON had
 6 produced the necessary medical documentations requested by TESLA. Plaintiff WILSON
 7 alleges that TESLA’s denial of her benefits was retaliatory, racially motivated and
 8 discriminatory.

9 **Plaintiff MONTIECO JUSTICE**

10 103. At all times relevant, Plaintiff JUSTICE was employed by TESLA, at its
 11 Fremont, California factory from July 2018. JUSTICE began his employment at TESLA as
 12 a Level 1 Production Associate. JUSTICE is an African-American male.

13 104. Throughout JUSTICE’s employment with TESLA, DEFENDANTS, including
 14 coworkers, leads, supervisors, and/or managers of TESLA, have introduced Plaintiff
 15 JUSTICE to others at TESLA, stating, “This is Justice. He is hard-working and he is black.”
 16 Specifically, Defendant ANTONIO DOE, JUSTICE’S supervisor at the time, continues to
 17 introduce JUSTICE in the same or similar fashion.

18 105. Further, as of the filing of this Complaint, JUSTICE has been working at
 19 TESLA’s Fremont, California factory as a production associate for nearly 5 years without
 20 promotion. PLAINTIFF JUSTICE alleges that the failure the promote is racially motivated
 21 and discriminatory.

22 106. When it came time for JUSTICE to be promoted, DEFENDANTS, and each of
 23 them, concocted and devised a scheme to intentionally prevent JUSTICE’s ascension up the
 24 TESLA promotional ladder for reasons not related to merit or ability to perform the job, but
 25 for illegal, discriminatory and retaliatory reasons that included:

- 26 (a) Each time at the Bi-annual review, JUSTICE was given frivolous,
 27 unjustified disciplinary actions in his TESLA portfolio, many of which
 28 JUSTICE had no knowledge of prior to the reviews.

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- (b) JUSTICE was demoted for taking authorized leave of absence from TESLA. After years of hard work, day by day proving himself and his skills, JUSTICE finally became a Level 6 Production Associate. JUSTICE’s next goal was to become a Lead in his department. However, all his hard work and dedication were discounted when JUSTICE took an authorized leave of absence as a result contracting COVID-19. Upon returning to TESLA, JUSTICE was immediately demoted. He was requested to work as a Level 1 Production Associate despite his skills, time, merits, and ability to perform the job as a Level 6 Production Associate. The demotion denies JUSTICE all promotional opportunities for a prolonged period of time.
- (c) JUSTICE is clearly qualified for a promotion as a Lead. In fact, JUSTICE was repeatedly requested by supervisors and leads, and had trained many other employees who have since become Leads, Supervisors, and/or Managers at TESLA. Despite JUSTICE’s qualifications and abilities, TESLA has repeatedly failed to promote him but rather, promoted others who were less qualified. The individuals promoted in place of JUSTICE were non-African-Americans individuals.
- (d) As of the filing of this Complaint, JUSTICE is still a Level 1 Production Associate at TESLA.

Plaintiff TERI MITCHELL

107. At all times relevant, Plaintiff MITCHELL was employed by TESLA, at its Fremont, California factory as a quality inspector, from January 09, 2022, until her termination on February 10, 2022. MITCHELL is an African-American woman.

108. Throughout MITCHELL’s employment with TESLA, she was targeted for harassment on the basis of her race. This harassment included the use of the terms “Blackies” or “Darkies” to address African-American workers and the breakroom they use at TESLA FACTORIES, and the use of the terms “Nigger”, “Nigga”, or “Negro” on a regular basis.

1 MITCHELL further observed other African-American employees enduring the same
2 treatment.

3 109. On or around January 13, 2022, MITCHELL was requested to go to training
4 for her duties as a production associate. After waiting around for over an hour, an employee
5 walked to MITCHELL and said, “follow me.” The employee did not speak English.

6 110. MITCHELL was immediately brought to her station, where she noticed that
7 all the employees at her department were speaking Spanish. In fact, MITCHELL was one of
8 the only two African American employees working at the department at the time-- the other
9 African American employee being MITCHELL’s sister.

10 111. At the station, MITCHELL was asked to just “stand and watch”, and “cut
11 here.” MITCHELL was not allowed any hands-on training. MITCHELL’s ability to ask
12 questions or get clarification was further inhibited by the language barrier between
13 MITCHELL and her assigned trainer. In fact, MITCHELL had to utilize Google Translate
14 in order to try to understand her teammates better. However, MITCHELL was reprimanded
15 for using her cell phone.

16 112. Thereafter, MITCHELL was placed on the production line with predominantly
17 non-English speaking employees. As one can reasonably expect, MITCHELL did not
18 understand what her duties were, and how to perform her duties as a result of the lack of
19 training and obvious language-barrier.

20 113. Concerned about the ability to perform her duties as required, MITCHELL
21 reported her concerns to TESLA supervisor, Defendant CEVEN DOE. MITCHELL further
22 requested to transfer to another department as it was clear that she cannot get adequate
23 training in her department. However, Defendant CEVEN DOE denied her request to transfer.
24 No matter how much she wanted to do her job well, there was no real chance for MITCHELL
25 to succeed at TESLA.

26 114. Retaliation against MITCHELL began shortly after her request to transfer
27 departments. MITCHELL experienced significant retaliation by her coworkers as well as the
28 Leads of the department, Defendant JUDY DOE and Defendant MARIA DOE. MITCHELL

1 was sent to work away from the remainder of her team — no one in the department was
 2 willing to speak to or assist MITCHELL.

3 115. In addition, throughout MITCHELL’s employment with TESLA,
 4 DEFENDANTS, including coworkers, leads, supervisors, and/or managers of TESLA, have
 5 continuously harassed MITCHELL on the basis of her race, threatening her of her longevity
 6 with TESLA because she was an African-American woman, including statements such as:

- 7 (a) “They don’t want you working here.”
- 8 (b) “It is rare for Blacks to work here. I don’t know how long you will be able
 9 to stay here.”
- 10 (c) “The Hispanics are here to take your job.”

11 116. On or about January 13, 2022, MITCHELL reported the lack of training and
 12 communication, the unfair treatment, and lack of safety precautions to Supervisors and
 13 Managers Defendant CEVEN DOE, Defendant JUDY DOE and Defendant MARIA DOE.
 14 These DEFENDANTS did not conduct an investigation into Plaintiff MITCHELL’s
 15 complaints. Instead, they decided to relocate her to another station, where MITCHELL was
 16 tasked to work with blades and other tools without any safety precautions, gloves, or goggles.
 17 Non-African-American employees working in the same position were provided with gloves
 18 and goggles to work with blades and tools. Plaintiff MITCHELL alleges that the failure to
 19 train, unequal treatment, and segregation were racially motivated and discriminatory.

20 117. Thereafter, MITCHELL received a text message from her supervisor which
 21 stated that “it was slow,” and “don’t worry about coming in tonight.” MITCHELL confirmed
 22 with the supervisor that her next shift would be a few days later.

23 118. On or about February 10, 2022, upon arrival at her scheduled shift,
 24 MITCHELL was advised that her badge to enter TESLA’s gates was deactivated.

25 119. Confused and anxious, MITCHELL requested to speak with Defendant
 26 CEVEN DOE regarding her situation. Defendant CEVEN DOE did not respond.

27 120. The next day, MITCHELL was informed that she was terminated because
 28 “production was slow” and that she was placed on a “re-hirable” list. Despite TESLA’s

1 position that “production was slow” and therefore no longer needed MITCHELL to work,
2 TESLA continued to hire new employees for MITCHELL’s position. Plaintiff MITCHELL
3 alleges that TESLA’s reasons for terminating her were racially motivated and discriminatory.

4 **Plaintiff KEVIN SWANSON**

5 121. At all times relevant, Plaintiff SWANSON was employed by TESLA, at its
6 Fremont, California factory from May 2016 to present. SWANSON is an African-American
7 male.

8 122. Throughout SWANSON’s employment with TESLA, he was targeted for
9 harassment on the basis of his race. Th

10 123. His harassment included the use of the terms “Nigger” or “Nigga” on a regular
11 basis, and he observed other African-American employees enduring the same treatment.

12 124. SWANSON was assigned to the most physically demanding posts in TESLA
13 as compared to non-minority workers who were given more technical, less physical tasks.

14 125. The harassment to SWANSON as an African-American individual was
15 widespread throughout his department, including harassment by management personnel and
16 co-workers (production associates) alike.

17 (a) SWANSON’s Supervisor, Defendant ANTHONY DOE, advised
18 SWANSON that SWANSON “must work his hardest because he’s black.”

19 (b) Other production associates, in the presence of SWANSON’s Leads,
20 Defendants MELO DOE and CHRISTINE DOE, and Supervisors,
21 Defendants ANTHONY DOE and ARNOLD DOE, continuously made
22 remarks or “jokes” about SWANSON’s shoe size, his big feet, the size of
23 his penis, and the fact that he liked African-American women. Despite
24 hearing these remarks, Defendants ANTHONY DOE, ARNOLD DOE,
25 MELO DOE, and CHRISTINE DOE stood, listened, and did nothing to
26 address such behavior.

27 (c) When SWANSON requested to speak with TESLA HR personnel
28 regarding the racist behavior and harassment he had endured, Defendant

1 ANTHONY DOE denied his request to speak to TESLA’s Human
2 Resources personnel.

3 (d) After SWANSON reported the racist behavior and harassment, the
4 associates and Defendant MELO DOE and Defendant CHRISTINE DOE
5 heightened their continuous harassment and confronted SWANSON about
6 his complaints to Defendant ANTHONY DOE.

7 (e) Rather than addressing the perpetrators’ discriminatory conduct, TESLA
8 decided to suspend SWANSON.

9 126. Further, as of the filing of this Complaint, SWANSON has been working at
10 TESLA’s Fremont, California factory as a production associate for nearly 6 years without
11 promotion. PLAINTIFF SWANSON alleges that the failure the promote is racially
12 motivated and discriminatory.

13 127. When it came time for SWANSON to be promoted, DEFENDANTS, and each
14 of them, concocted and devised a scheme to intentionally prevent SWANSON’s ascension
15 up the TESLA promotional ladder for reasons not related to merit or ability to perform the
16 job, but for illegal, discriminatory and retaliatory reasons.

17 128. Despite persistent positive reviews for his performance throughout his years
18 at TESLA, DEFENDANTS failed to promote SWANSON to any leadership position. In fact,
19 SWANSON was qualified for the promotion as a Lead, as he was requested to and did train
20 many associates who later became Leads, Supervisors, and even Managers at TESLA.

21 129. From 2020 to 2021, SWANSON was transferred to another department in
22 TESLA, which had a policy of rotating associates to different assignments periodically due
23 to the department’s labor-intensive assignments. SWANSON, along with other African-
24 Americans who worked in the department, were not given the mandated rotation that other
25 associates working in the department received. Despite TESLA’s own policy to rotate its
26 workers in this department, SWANSON was expected to work its labor-intensive
27 assignments day in and day out without reprieve.

28 **Plaintiff NATHANIEL AZIEL GONSALVES**

1 130. At all times relevant, Plaintiff GONSALVES was employed by TESLA, at its
2 Foster City, California factory from February 11, 2013, until his termination on April 28,
3 2021. GONSALVES was an Associate Manager at TESLA’s Foster City, California factory.
4 GONSALVES is an African-American male.

5 131. To secure his employment with TESLA, Plaintiff GONSALVES was forced to
6 keep his head down and endure the racially discriminatory comments made to him by
7 supervisors and managers at TESLA. For example, GOLSALVES’s supervisor, Defendant
8 CLINTON DOE, repeatedly made racially discriminatory comments to GONSALVES,
9 stating that GONSALVES “wasn’t like most black people,” that he “didn’t act ghetto,” and
10 further called him a “zebra” because he was “neither black nor white.”

11 132. On or around September 2020, GONSALVES was retaliated against for
12 reporting the racial discriminatory conduct by a team lead against an associate at TESLA.
13 The associate worked directly under GONSALVES, who was an Associate Manager at the
14 time. The associate reported to GONSALVES that the team lead had addressed African
15 Americans as “monkeys.” GONSALVES immediately reported the incident to his
16 supervisor, Defendant JAMES DOE. To the best knowledge and belief of Plaintiff
17 GONSALVES, no action was taken by management authorities in response to his complaint.
18 Rather, GONSALVES was retaliated against by Defendant JAMES DOE and other team
19 members for reporting the misconduct, and was thereafter accused of “siding with the
20 minorities and defending them.”

21 133. On or around October 2020, GONSALVES was once again retaliated against
22 for reporting the racially motivated comments made at TESLA. An associate of Hispanic
23 decent reported to GONSALVES that racially discriminatory comments were made as against
24 the Hispanic associates on GONSALVES’s team. GONSALVES immediately reported this
25 incident to Defendant JAMES DOE. To the best knowledge and belief of Plaintiff
26 GONSALVES, no action was taken by management authorities in response to his complaint.
27 Rather, GONSALVES was once again retaliated against by his supervisor and team members
28 and accused of “siding with the minorities and defending them.”

1 134. On or around April 28, 2021, GONSALVES was suddenly terminated after
2 providing *nine years of service* to TESLA.

3 135. On the day of GONSALVES's termination, an employee of TESLA, "Cory",
4 was working on the solar panels at TESLA owner, Elon Musk's home. While Cory was at
5 Musk's home, Cory accused GONSALVES of protecting and/or favoring minorities and was
6 prejudice against other races. Despite the severity of these accusations, TESLA refused to
7 conduct any investigations or interviews; rather, TESLA terminated GONSALVES within
8 two hours after Cory spoke with Musk.

9 136. In desperation, GONSALVES contacted TESLA's Human Resources
10 Department (hereinafter "TESLA HR") and his regional manager at TESLA. In response to
11 GONSALVES's plead for the reasoning behind his termination, TESLA HR personnel, as
12 well GONSALVES's regional manager, casually stated that the decision to terminate
13 GONSALVES "came from higher up" and that there was nothing they can do. Plaintiff
14 GONSALVES alleges that his ultimate termination was wrongful, racially motivated and
15 discriminatory.

16 **Plaintiff TRISTIAN IRIZARRY**

17 137. At all times relevant, Plaintiff IRIZARRY was employed by TESLA, at its
18 Fremont, California factory from approximately April 2020 until his ultimate termination on
19 October 20, 2021. IRIZARRY began his employment at TESLA as a Production Associate.
20 IRIZARRY is an African-American male.

21 138. IRIZARRY, along with other minority employees, were assigned to the most
22 physically demanding posts in TESLA as compared to non-minority workers who were given
23 more technical, less physical tasks.

24 139. Additionally, IRIZARRY's supervisor, Defendant DEREK DOE, made
25 numerous racially motivated comments towards IRIZARRY, including using the term
26 "nigger" to address IRIZARRY. Defendant DEREK DOE continuously harassed IRIZARRY
27 on the basis of his race.

28 140. IRIZARRY was further reprimanded or threatened disciplinary actions for

1 conduct that non-minority workers were not similarly reprimanded or disciplined for.
2 IRIZARRY also received more severe treatment and discipline than non-minority employees.
3 He was disciplined and written up for wearing his hat or wearing headphones, while non-
4 minority workers were not similarly disciplined or written up for the same actions.

5 141. IRIZARRY was passed over for a promotion as a Lead in his department even
6 though he was clearly qualified for the promotion. In fact, IRIZARRY was repeatedly
7 requested by leads and managers, and had trained many other employees who have since
8 become Leads. IRIZARRY was told that he was “in charge” of different teams at TESLA.

9 142. Despite IRIZARRY’s qualifications, abilities and assignments, TESLA has
10 repeatedly failed to promote him or give him the same benefits, bonuses, equity, and raises
11 as other non-African-American workers who were “in charge,” but rather, promoted others
12 who were much less qualified. The individuals promoted in place of IRIZARRY were non-
13 African-Americans individuals.

14 143. IRIZARRY was further retaliated against when he reported sexual harassment
15 he witnessed against another employee.

16 144. After IRIZARRY’s reporting of the misconduct, he was terminated on October
17 20, 2021 for “time theft”. Plaintiff had not acted in any manner that would constitute “time
18 theft” and was refused an opportunity to address the allegations.

19 145. Plaintiff IRIZARRY alleges that his ultimate termination was wrongful,
20 racially motivated and discriminatory.

21 **Plaintiff ETAH ALLAH**

22 146. At all times relevant, Plaintiff ALLAH was employed by TESLA, at its
23 Fremont, California factory from approximately August 2021 until his ultimate termination
24 in November 2021. ALLAH is an African American male.

25 147. Throughout ALLAH’s employment with TESLA, he was targeted for
26 harassment on the basis of his race. This harassment included the use of the terms “Nigger”,
27 “Nigga”, or “slavery” on a regular basis, and the use of the term “plantation” to describe the
28 culture at the TESLA Fremont factory. ALLAH further observed other African-American

1 employees enduring the same treatment.

2 148. Racial tension began shortly after ALLAH joined TESLA. When ALLAH
 3 presented to TESLA for his production associate training, he was asked to “just stand and
 4 watch” with no verbal instructions from the TESLA Training Supervisor. However, ALLAH
 5 observed all non-African American production associates receive “hands on”, detailed
 6 training from the TESLA Training Supervisor. Plaintiff ALLAH alleges that the disparate
 7 treatment was racially motivated and discriminatory.

8 149. ALLAH found his employment at TESLA increasingly difficult to endure due
 9 to the daily racist epithets and harassment that he had to endure throughout his shifts.
 10 ALLAH’s leads, supervisors, and managers continuously targeted him on the basis of his
 11 race.

12 150. ALLAH was reprimanded and threatened disciplinary actions for conduct that
 13 non-African-American workers were not similarly reprimanded or disciplined for.

14 151. In or around November 2021, ALLAH’s supervisor, Defendant RODNEY
 15 DOE, and Lead, Defendant JASON DOE, accused ALLAH of being drunk while working at
 16 TESLA. ALLAH adamantly denied the Defendants’ accusations and offered to take a
 17 drug/alcohol test to prove his innocence. Defendants RODNEY DOE and JASON DOE
 18 refused to test ALLAH and did not allow ALLAH to speak with TESLA HR. Rather, the
 19 Defendants escorted ALLAH off the TESLA factory without any proper investigation or
 20 interview.

21 152. The next day, ALLAH was terminated by TESLA. ALLAH was later advised
 22 that TESLA terminated ALLAH because he was inebriated at work and *refused to take the*
 23 *drug/alcohol test.*

24 **Plaintiff CHERRICE HOUSTON-GODFREY**

25 153. At all times relevant, Plaintiff CHERRICE HOUSTON-GODFREY
 26 (“HOUSTON-GODFREY”) was and continues to be employed by TESLA, at its Fremont,
 27 California factory, beginning October 2016. HOUSTON-GODFREY is an African-
 28 American female.

1 154. Throughout HOUSTON-GODFREY’s employment with TESLA, she was
2 targeted and harassed on the basis of her race. HOUSTON-GODFREY further observed
3 other African-American employees enduring the same treatment.

4 155. HOUSTON-GODFREY found her employment at TESLA increasingly
5 difficult to enjoy due to the daily racist epithets and harassment that she had to endure
6 throughout her shifts. HOUSTON-GODFREY’s supervisors and TESLA HR personnel
7 continuously targeted her on the basis of her race.

8 156. HOUSTON-GODFREY and Defendant TORRES applied for TESLA’s Team
9 Lead position. HOUSTON-GODFREY got the position. Defendant TORRES, resentful that
10 he was passed over for the position, began spreading rumors regarding how HOUSTON-
11 GODFREY got the position as a Team Lead — because she was “sleeping with” another
12 supervisor, who was also African-American.

13 157. Thereafter, Defendant TORRES was promoted to Supervisor of the
14 department. HOUSTON-GODFREY worked under Defendant TORRES in the same
15 department. Defendant TORRES made the work environment extremely hostile and
16 unbearable. On a daily basis, Defendant TORRES reminded HOUSTON-GODFREY and
17 Miguel (another African American employee) that Defendant TORRES was “brought here to
18 clean up shop” and that he was “told to get rid of [HOUSTON-GODFREY] and Miguel.”
19 TORRES’ intention was to rid the department of African-American employees. Miguel was
20 eventually terminated.

21 158. HOUSTON-GODFREY reported Defendant TORRES’ discriminatory
22 conduct to TESLA HR personnel. HOUSTON-GODFREY requested that TESLA HR
23 conduct a thorough investigation. She further requested to transfer out of the department to
24 avoid further harassment. HOUSTON-GODFREY did not hear back from TESLA HR.

25 159. HOUSTON-GODFREY was reprimanded and threatened disciplinary actions
26 for conduct that non-African American workers were not similarly reprimanded or
27 disciplined for. Defendant TORRES accused HOUSTON-GODFREY of stealing a walkie-
28 talkie which was locked in HOUSTON-GODFREY’s desk at TESLA. Defendant TORRES

1 disciplined HOUSTON-GODFREY for locking her belongings at TESLA, despite the fact
 2 that HOUSTON-GODFREY was advised by TESLA HR and supervisors to lock up her
 3 belongings as many employees had experienced theft in the past. Other Non-African
 4 American employees similarly lock up their belongings without discipline. Plaintiff
 5 HOUSTON-GODFREY alleges that this disparate treatment is racially motivated and
 6 discriminatory.

7 160. HOUSTON-GODFREY was passed over for a promotion as a supervisor in
 8 her department despite being clearly qualified for the promotion. In fact, HOUSTON-
 9 GODFREY was repeatedly requested by Leads and Managers, and had trained many
 10 employees who have since become her supervisors and managers.

11 161. Despite HOUSTON-GODFREY’s qualifications and abilities, TESLA has
 12 repeatedly failed to promote her to a supervisory position or give her the same benefits,
 13 bonuses, equity, and raises as other non-African-American workers with the same
 14 responsibilities, but rather, promoted others who were much less qualified. The individuals
 15 promoted in place of HOUSTON-GODFREY were non-African Americans. In fact,
 16 HOUSTON-GODFREY was requested to *train the supervisors* who were promoted in her
 17 place.

18 162. HOUSTON-GODFREY applied numerous times for the supervisory position
 19 at TESLA. Not once did she get an interview or any consideration.

20 163. HOUSTON-GODFREY reported the discriminatory treatment and obstruction
 21 of her promotion to TESLA HR. TESLA HR advised HOUSTON-GODFREY that an
 22 investigation would be conducted. To date, HOUSTON-GODFREY has not heard back from
 23 TESLA HR.

24 164. Thereafter, on or around January 24, 2022, HOUSTON-GODFREY was
 25 escorted out of her department by Defendant BEHRENS, HOUSTON-GODFREY’s
 26 Manager, to TESLA HR’s office to discuss her disciplinary actions. Upon arrival to TESLA
 27 HR office, Defendant STINSON, TESLA HR personnel, accused HOUSTON-GODFREY of
 28 abandoning her job and gave her a final and a written warning for “job abandonment.”

1 165. However, TESLA HR’s accusations were false. HOUSTON-GODFREY did
2 not abandon her job at TESLA. In fact, HOUSTON-GODFREY’s work hours were modified
3 by TESLA HR due to an injury. The accommodation was pre-approved by both TESLA HR
4 and Defendant TORRES.

5 166. HOUSTON-GODFREY tried to explain to Defendant STINSON regarding the
6 approved accommodation, to which Defendant STINSON replied, “I don’t believe you” and
7 proceeded to give HOUSTON-GODFREY a final written warning. According to TESLA’s
8 policies, an employee who receives verbal or written warnings will not be considered for
9 promotions, bonuses, and/or transfers for a prolonged period of time. Plaintiff HOUSTON-
10 GODFREY alleges that the disciplinary actions against her were retaliatory, racially
11 motivated and discriminatory.

12 **Plaintiff KABIRU ALOWONLE**

13 167. At all times relevant, Plaintiff ALOWONLE was employed by TESLA, at its
14 Fremont, California factory from April 26, 2021 until his ultimate resignation on February
15 04, 2022. ALOWONLE was an Assistant Manager at TESLA. ALOWONLE is an African-
16 American male.

17 168. ALOWONLE was forced to keep his head down and endure the racially
18 discriminatory comments made to him by supervisors and managers at TESLA. Numerous
19 times ALOWONLE was told that he acted “professional”, was “well-spoken” and that was
20 something they did not “expect from people like [him].”

21 169. In or around Summer of 2021, ALOWONLE, the only African American
22 management member at the time, joined other TESLA management personnel as part of the
23 panel for the hiring of supervisors and lead associates at TESLA. ALOWONLE immediately
24 noticed that African American candidates were not given the same opportunities and
25 recognition by the other TESLA management personnel, despite the fact that the African
26 American candidates were better qualified than the non-African American candidates. The
27 other panel members decided to promote the Caucasian candidates.

28 170. ALOWONLE, realizing that the remaining panel members were promoting

1 candidates based on the color of their skin, decided to make comparisons between the chosen
 2 Caucasian candidates and the denied African American candidates. As expected, the African
 3 American candidates were clearly more qualified than the chosen Caucasian candidates.
 4 ALLOWONLE brought his analysis to the remaining panel members and questioned the basis
 5 for the panel members’ decision to promote the Caucasian candidates. ALLOWONLE was
 6 not given any explanation or reason why the Caucasian candidates were chosen to promote.

7 171. Throughout the hiring process, the other panel members generally described
 8 African American candidates as “unprofessional,” “uncouth,” or “having no chance,”
 9 destroying the candidate’s opportunity to promote or grow at TESLA, all because of the color
 10 of the candidate’s skin. During the entirety of ALLOWONLE’s employment at TESLA,
 11 TESLA did not promote any African Americans in ALLOWONLE’s department to a lead
 12 position.

13 172. After ALLOWONLE brought these instances of racial discrimination to his
 14 senior manager, Defendant SANKAR DOE’s attention. However, Defendant SANKAR DOE
 15 did not address ALLOWONLE’s complaints.

16 173. On three separate occasions, ALLOWONLE reported significant product
 17 defects to Defendant SANKAR DOE and ALLOWONLE’s manager, Defendant SHAUN
 18 DOE. Each time, ALLOWONLE’s concerns and complaints were simply “brushed off” with
 19 no accountability.

20 174. ALLOWONLE escalated his ignored complaints to TESLA HR, who advised
 21 ALLOWONLE that the department would conduct investigations.

22 175. ALLOWONLE was the assistant manager to Defendant SANKAR DOE and
 23 Defendant SHAUN DOE, who were later found to be accountable for the product defect
 24 incidents. Defendants SANKAR DOE and SHAUN DOE knew ALLOWONLE reported their
 25 misconduct to TESLA HR. As TESLA should have reasonably expected, this conflicting
 26 relationship created a hostile environment for ALLOWONLE.

27 176. From that point forth, ALLOWONLE was either given the “cold shoulder” or
 28 threatened discipline without justification. With regards to the product defect investigations,

1 Defendant SHAUN DOE further warned ALOWONLE that he'd "better leave it alone" and
2 to "[w]orry about [your] performance rating and not this!"

3 177. ALOWONLE was reminded daily that his job was on the line. Furthermore,
4 Defendants SANKAR DOE and SHAUN DOE became verbally aggressive and outright
5 disrespectful to ALOWONLE—including the use of racial slurs and profanity, often times in
6 the presence of other employees.

7 178. Further, ALOWONLE, as the only African American management personnel
8 at the time, was sent to act as security and escort associates out the TESLA factory upon the
9 associates' termination. Many times, the associates were from an entirely different
10 department. Non-African American management personnel were not similarly requested to
11 escort associates. Plaintiff ALOWONLE alleges that this disparate treatment is racially
12 motivated and discriminatory.

13 179. ALOWONLE was forced to endure TESLA's racial harassment and
14 discrimination against him until his ultimate resignation on February 4, 2022.

15 **Plaintiff LARRY MORRIS**

16 180. At all times relevant, Plaintiff MORRIS was employed by TESLA, at its
17 Fremont, California factory beginning approximately 2014 as a Material Handler. MORRIS
18 is an African-American male.

19 181. The harassment to MORRIS as an African American man was widespread
20 throughout his department, including harassment by management personnel and co-workers
21 (production associates) alike.

22 182. On or around February 01, 2020, Defendant NICK DOE, MORRIS's Lead,
23 sent a notice via group text messaging which read "Fwd: PBS: Tesla Fremont Factory
24 discovers first case of Coronavirus at the Tesla Health Center, Tuesday January 28." This
25 notice contained a hyperlink immediately below it.

26 183. With the expectation that the hyperlink contained more information regarding
27 the Coronavirus outbreak at TESLA, MORRIS clicked on the hyperlink provided by his Lead,
28 Defendant NICK DOE. MORRIS was shocked, embarrassed, and distressed upon clicking

1 on the hyperlink, which directed MORRIS to a photo of a *fully naked, erect, African-*
2 *American man*. Nothing presented in the hyperlink was Covid-related information.

3 184. MORRIS is known in his department for being physically “bigger”. The size
4 of the fully naked African American man in the photo closely resembles MORRIS’s
5 physique. As a result of this photo, MORRIS was continuously harassed by coworkers, leads,
6 and supervisors alike. Many began to address MORRIS as “the big black man,” referencing
7 MORRIS as the naked African American male in the photo.

8 185. In distress, MORRIS reported the incident to TESLA HR. MORRIS was told
9 by TESLA HR personnel that they would investigate the matter and informed MORRIS that
10 TESLA HR personnel will contact MORRIS.

11 186. After MORRIS reported the incident to TESLA HR, Defendant JULIO DOE,
12 MORRIS’s supervisor, retaliated by confronting MORRIS about MORRIS’s reporting to
13 TESLA HR. Defendant JULIO DOE told MORRIS that the photo was “funny”, and that
14 MORRIS should just “take it as a joke”.

15 187. Defendant JULIO DOE further tried to convince MORRIS to stop pursuing the
16 matter with TESLA HR and to “sweep it under the rug.” MORRIS refused to speak further
17 with Defendant JULIO DOE as it was clear that Defendant JULIO DOE had no interest in
18 helping MORRIS.

19 188. MORRIS did not hear back from TESLA HR regarding their investigation of
20 the February 01, 2020 matter. In fact, MORRIS had to inquire, time after time, about the
21 investigation. Time after time, TESLA HR personnel told MORRIS they were “conducting
22 the investigation” and that they cannot disclose any information.

23 189. To date, MORRIS has not received an update on the investigation. The
24 discrimination and harassment that MORRIS suffered, and continues to suffer, has been
25 “swept under the rug,” as Defendant JULIO DOE suggested. The perpetrator remained
26 employed and MORRIS was forced to continue to endure the harassment.

27 190. As reasonably expected, the racial harassment to MORRIS escalated due to
28 TESLA’s lack of accountability.

1 191. On or near November 16, 2021, MORRIS was driving a forklift at TESLA as
2 directed. MORRIS had been driving his forklift on this path many times prior to this day.
3 MORRIS requested the help of a supervisor, Defendant MINH DOE, who was standing
4 nearby, to remove a product blocking MORRIS’s customary route. To MORRIS’s surprise,
5 MINH DOE stormed off and filed a report with Defendant JULIO DOE, MORRIS’s
6 supervisor, stating that MORRIS was “not allowed” to drive the forklift through that specific
7 route. Without interviewing MORRIS, Defendant JULIO DOE told MORRIS to stop driving
8 the forklift through that path, despite the fact that MORRIS was directed to drive on that path
9 and had done so countless times prior to that day.

10 192. Confused, MORRIS approached Defendant MINH DOE and asked why he was
11 no longer allowed to drive through the path as previously directed.

12 193. In anger, Defendant MINH DOE responded, “because you are *big and black.*”
13 Fearing Defendant MINH DOE’s hostility, MORRIS immediately backed away.

14 194. Once again, MORRIS reported the incident involving Defendant MINH DOE
15 to Defendant JULIO DOE and TESLA HR.

16 195. MORRIS was retaliated against for reporting the racial harassment he
17 experienced. After his reporting, MORRIS lost his position as a forklift driver and was
18 transferred to work in a position that was much more labor intensive—to unload battery
19 packs. Plaintiff MORRIS alleges that his transfer was retaliatory, racially motivated and
20 discriminatory.

21 196. Moreover, MORRIS was reprimanded or threatened disciplinary actions for
22 conduct that non-minority workers were not similarly reprimanded or disciplined for.
23 MORRIS also received more severe treatment and discipline than non-minority employees.

24 197. Further, as of the filing of this Complaint, MORRIS has been working at
25 TESLA’s Fremont, California factory as a Materials Handler for nearly 8 years without
26 promotion. PLAINTIFF MORRIS alleges that the failure the promote is racially motivated
27 and discriminatory.

28 198. When it came time for MORRIS to promote, DEFENDANTS, and each of

1 them, concocted and devised a scheme to intentionally prevent MORRIS’s ascension up the
 2 TESLA promotional ladder for reasons not related to merit or ability to perform the job, but
 3 for illegal, discriminatory and retaliatory reasons that included:

- 4 (a) Despite consistent positive reviews for MORRIS’s work performance
 5 throughout his numerous years at TESLA, DEFENDANTs failed to
 6 promote MORRIS to any leadership position.
- 7 (b) MORRIS was clearly qualified for a promotion as a Lead or a Supervisor.
 8 In fact, MORRIS was repeatedly requested by Leads and Managers, and
 9 had trained many employees who have since become Leads and
 10 Supervisors at TESLA.
- 11 (c) Despite MORRIS’s qualifications and abilities, TESLA has repeatedly
 12 failed to promote him but rather, promoted others who were less qualified.
- 13 (d) The individuals who were hired or promoted as Leads or Supervisors in
 14 place of MORRIS were all non-African-Americans.

15 **Plaintiff PARADICE BROOKS**

16 199. At all times relevant, Plaintiff BROOKS was employed by TESLA, at its
 17 Fremont, California factory as a production associate beginning June 21, 2021. As of the
 18 filing of this complaint, BROOKS is employed by TESLA as a production associate.
 19 BROOKS is an African-American female.

20 200. The harassment to BROOKS as an African American was widespread
 21 throughout her department, including harassment by management personnel and co-workers
 22 (production associates) alike.

23 201. BROOKS received more severe treatment and discipline than non-African-
 24 American employees. BROOKS was further reprimanded and threatened disciplinary actions
 25 for conduct that non-African American employees were not similarly reprimanded or
 26 disciplined for.

27 202. In fact, BROOKS was often seen as the aggressor and was threatened or
 28 received disciplinary actions because she complained about the harassment she endured.

1 203. For example, BROOKS received a warning for an event as simple as
2 requesting a pair of fitted shoes from TESLA. TESLA requires and provides its employees
3 with work shoes. The pair of shoes provided to BROOKS did not fit and caused BROOKS
4 to suffer pain in her feet while wearing them. BROOKS notified her Supervisor, Defendant
5 TOAN DOE, regarding the discomfort and pain and requested a pair of fitted shoes. Rather
6 than providing BROOKS with a new pair of shoes, Defendant TOAN DOE gave her a
7 warning for her complaints. Plaintiff BROOKS alleges that such disciplinary actions were
8 racially motivated and discriminatory.

9 204. Moreover, TESLA allows its employees to play music on a radio in the
10 department's common areas, loud enough for employees, including TESLA's Leads,
11 supervisors, and managers, to listen to. The music played was often offensive to African-
12 Americans and contained explicit language.

13 205. BROOKS requested to have the volume of the radio turned lower, or off, as
14 the music being played contained offensive language. A Caucasian associate began yelling
15 at BROOKS as a result of her request. BROOKS quietly walked away from the associate
16 and reported the incident to her supervisor, Defendant TOAN DOE.

17 206. Defendant TOAN DOE, without proper investigation, deemed BROOKS the
18 aggressor and threatened a write-up against BROOKS. The Caucasian associate received no
19 disciplinary actions despite being the true aggressor. Plaintiff BROOKS alleges that the
20 disciplinary actions against her were racially motivated and discriminatory.

21 207. BROOKS was once again deemed the aggressor after a verbal exchange with
22 the same Caucasian associate regarding the use of a heater. Defendant TOAN DOE, once
23 again without proper investigation, deemed BROOKS the aggressor, threatened her job at
24 TESLA, and gave BROOKS a write-up. The Caucasian associate involved once again did
25 not receive any disciplinary actions despite being the true aggressor. Plaintiff BROOKS
26 alleges that the disciplinary actions against her were racially motivated and discriminatory.

27 208. BROOKS repeatedly requested to transfer to another department to avoid the
28 hostility she experiences at her department. However, her requests were continuously denied.

1 209. BROOKS was passed over for promotions and reviews in her department,
2 despite all other non-black employees receiving their mandatory reviews and promotions. In
3 fact, BROOKS received an email stating that all personnel in her department should have
4 been reviewed, but BROOKS has yet to receive any reviews for her performance at TESLA.

5 210. On or around March 11, 2022, BROOKS had a scheduled phone meeting with
6 TESLA's human resources personnel to discuss the ongoing racial discrimination and
7 harassment she was suffering. Human resources personnel did not reach out to BROOKS as
8 promised.

9 211. The discrimination and harassment to BROOKS has been, and continues to be,
10 overbearing and stressful. In fact, on or around March 26, 2022, BROOKS suffered several
11 panic attacks at TESLA as a result of her stress. Due to the extreme stress and the manners
12 in which the stress had physically and mentally manifested, BROOKS sought treatment with
13 a mental health care provider and continues to seek treatment to this day.

14 **Plaintiff TYRON AGHEDO**

15 212. At all times relevant, Plaintiff AGHEDO was employed by TESLA, at its
16 Fremont, California factory from approximately July 18, 2018 to January 2019 and July 2019
17 until his termination on February 14, 2022. AGHEDO was a Production Associate.
18 AGHEDO is an African American male.

19 213. "Welcome to slavery" were some of the first words AGHEDO heard upon
20 entering into TESLA's Fremont factory.

21 214. AGHEDO, along with other African-American employees, were assigned to
22 the most physically demanding posts in TESLA as compared to non-minority workers who
23 were given more technical, less physical tasks.

24 215. For example, AGHEDO was assigned to a Front-end module department which
25 had a policy to rotate its employees from the more labor-intensive station to a less physically
26 demanding station every two hours to avoid physical burnout or injuries. AGHEDO, as the
27 only African-American individual at his station, was not rotated out of the labor-intensive
28 station. Rather, AGHEDO was assigned to the labor-intensive station 12 hours a day, every

1 day he worked. Non-African-American employees in his station were rotated to other
 2 stations.

3 216. Exhausted and in pain, AGHEDO complained to his lead, Defendant LOUIS
 4 DOE, about the unequal treatment. Defendant LOUIS DOE was in charge of setting the
 5 rotation schedule for the associates at his station, including AGHEDO. Defendant LOUIS
 6 DOE, time after time, refused to rotate AGHEDO while other non-African American
 7 employees were rotated to other stations.

8 217. As AGHEDO’s numerous complaints to Defendant LOUIS DOE appeared
 9 futile, he took it a step further and reported the unequal treatment to his Assistant Manager,
 10 Defendant ROB DOE. AGHEDO confided in Defendant ROB DOE, explaining that
 11 AGHEDO, as the only African-American worker in his station, was being treated unequally.
 12 Defendant ROB DOE simply ignored AGHEDO’s complaints.

13 218. AGHEDO was then retaliated against for complaining about the racial
 14 discrimination and harassment. Subsequent to his complaints, AGHEDO was assigned to
 15 more labor-intensive tasks as compared to before. Plaintiff AGHEDO alleges that such
 16 conduct is retaliatory, racially motivated and discriminatory.

17 219. Defendant MIGUEL

18 220. DOE, a lead at TESLA, assigned AGHEDO to pick up trash around the
 19 TESLA Fremont factory, despite the fact that AGHEDO was not a janitor at TESLA. Other
 20 associates in the same position as AGHEDO were not requested to pick up trash or to fulfill
 21 janitorial duties. Plaintiff AGHEDO alleges that this disparate treatment is racially
 22 motivated and discriminatory.

23 221. Further, when it came time for AGHEDO to promote, DEFENDANTS, and
 24 each of them, concocted and devised a scheme to intentionally prevent AGHEDO’s ascension
 25 up the TESLA promotional ladder for reasons not related to merit or ability to perform the
 26 job, but for illegal, discriminatory and retaliatory reasons that included:

- 27 (a) AGHEDO was passed over for a promotion as a Lead in his department
- 28 even though he was clearly qualified for the promotion. In fact, AGHEDO

1 was repeatedly requested and had trained many other employees who have
2 since became Leads and/or supervisors at TESLA.

3 (b) Despite AGHEDO’s qualifications and abilities, TESLA has repeatedly
4 failed to promote him or given him the same benefits, bonuses, equity, and
5 raises as other non-Black workers who were given the same
6 responsibilities, but rather, promoted others who were much less qualified.

7 (c) The individuals promoted in place of AGHEDO’s were non-African
8 Americans.

9 222. TESLA’s discriminatory and retaliatory culture is widespread throughout
10 TESLA. Employees at TESLA continuously harass African American employees, including
11 AGHEDO, on the basis of their race. There is simply no accountability for such actions.

12 223. For example, AGHEDO was tackled by an employee at TESLA. AGHEDO
13 reported the incident to his Lead, Defendant LOUIS DOE. AGHEDO is informed and
14 believes that the employee’s actions towards AGHEDO was racially motivated and
15 discriminatory. Rather than addressing the issues that AGHEDO had reported, Defendant
16 LOUIS DOE mocked AGHEDO, stating “Suck it up and be a man, this happens here all the
17 time.” No investigation was conducted and AGHEDO’s complaints were, again, dismissed.

18 224. AGHEDO suffered a foot and arm injury after being run over by an assembly
19 cart at TESLA. AGHEDO reported the incident to Defendant LOUIS DOE, to which LOUIS
20 DOE replied, “Don’t be a crybaby.” No investigation was conducted.

21 225. Further, Defendant PHIL DOE, AGHEDO’s Supervisor, continuously
22 harassed AGHEDO on the basis of his race. Defendant PHIL DOE’s discriminatory conduct
23 was one of countless triggering factors of TESLA’s hostile work environment.

24 226. For example, Defendant PHIL DOE constantly intimidated AGHEDO, stared
25 him down, and used an aggressive tone of voice with him. On numerous occasions,
26 Defendant PHIL DOE denied AGHEDO’s right to use his paid-time-off for personal or
27 medical appointments.

28 227. At or near December 23, 2021, AGHEDO was once again harassed and

1 assaulted by another TESLA associate — who threw metal bolts at him. AGHEDO
2 immediately reported the incident to Defendant GERALDINE DOE, a Lead at TESLA.
3 Defendant GERALDINE DOE ignored AGHEDO’s pleas for help, despite the fact that the
4 perpetrator worked directly under GERALDINE DOE’s authority.

5 228. As AGHEDO’s reports of harassment and discrimination to TESLA turned
6 futile time after time, AGHEDO left TESLA factory in an attempt to avoid further assault
7 and harassment. As a result, TESLA revoked AGHEDO’s holiday pay and argued that
8 AGHEDO should not have left his station despite the fact that he was being assaulted.

9 229. Due to the harassment and discrimination AGHEDO experienced, he
10 repeatedly requested to transfer to another department at TESLA. AGHEDO’s requests were
11 repeatedly denied due to alleged infractions and warnings that AGHEDO was unaware of
12 prior to his request to transfer. Plaintiff AGHEDO alleges that the denial of his transfer, as
13 well as the unjustified negative performance reviews, were racially motivated and
14 discriminatory.

15 230. The hostility towards African American employees at TESLA was widespread
16 throughout TESLA. On or about January 19, 2022, AGHEDO presented to the TESLA
17 Teamwear Office to exchange his TESLA uniform. TESLA requires its employees to be in
18 TESLA uniform during work. Upon arrival to the Teamwear Office, AGHEDO noticed a
19 hostile atmosphere: AGHEDO was simply ignored at first, and then was given trouble for
20 requesting the uniforms TESLA required him to wear.

21 231. AGHEDO requested to exchange his pair of pants for a new pair due to wear
22 and tear. Rather than providing the requested uniform, the Teamwear Office personnel
23 automatically deemed AGHEDO to be aggressive and threatened disciplinary actions, despite
24 AGHEDO’s explanation that he cannot continue to work with a hole in his pants exposing
25 his private areas. The employees at the Teamwear Office ignored his multiple requests with
26 the knowledge that AGHEDO was going to be subjected to disciplinary actions without the
27 proper uniforms. The Teamwear Office personnel threatened to call security despite the fact
28 that AGHEDO remained civil throughout the incident.

1 232. Later the same day, AGHEDO was taken off work by his Assistant Manager,
2 Defendant ROB DOE, who escorted AGHEDO into the TESLA Security Office. AGHEDO
3 was told that he was under investigation for the events that occurred at the TESLA Teamwear
4 Office. AGHEDO was escorted out of the TESLA Fremont factory pending an investigation.

5 233. Weeks later, AGHEDO finally met with TESLA HR personnel, Defendants
6 ANTHONY DOE, FERNANDA DOE, and MICHAEL DOE, as part of the investigation.
7 AGHEDO told them about the events which occurred at the Teamwear Office. AGHEDO
8 expressed that he felt the actions of the TESLA employees, including the actions of
9 Defendants LOUIS DOE and ROB DOE, were racially motivated and discriminatory.

10 234. Just one week after the meeting with TESLA HR, on February 07, 2022,
11 AGHEDO was terminated for “being an aggressor.”

12 **Plaintiff PAULA FORD**

13 235. At all times relevant, Plaintiff FORD was employed by TESLA, at its Fremont,
14 California factory, beginning September 7, 2021 to present as a driver. She was one of two
15 African-American employees in the Material Handling department as a driver.

16 236. As one of two female African-American employees in the department, Plaintiff
17 FORD was the target of disparate treatment and racial discrimination shortly after her
18 employment began.

19 237. Plaintiff FORD has continuously been subjected to an environment of
20 discrimination and harassment. She has witnessed her co-workers of African-American and
21 Hispanic descent be subjected to discrimination and harassment and understood very early
22 on that if she complained too much or stood out, she would be on Defendants’ radar and set
23 up for a miserable work experience. She was not wrong.

24 238. In October 2021, TESLA announced to Plaintiff FORD and others in her
25 department that employee drivers with “Class A” drivers licenses will receive a pay increase
26 of \$5.00 per hour. The pay increase was to go into effect on November 2, 2021.

27 239. By the end of November, Plaintiff FORD realized that she had not received
28 the promised pay increase. Plaintiff FORD raised the issue with her supervisor and was told

1 that she would “receive back pay.” This never happened.

2 240. In or around December 2021, Plaintiff FORD notified her superiors that she
 3 would need to take leave for a surgical procedure in January 2022. Her leave was approved.

4 241. On or about January 9, 2022, Plaintiff FORD contracted Covid and had to
 5 postpone her surgery to late March 2022. She notified her superiors and was told to return
 6 to work once she had a negative Covid test result.

7 242. In mid-January, Plaintiff FORD returned to work as instructed only to find out
 8 that she was still locked out of the facility.

9 243. Thereafter, Plaintiff FORD realized that she was still placed on leave for the
 10 full month of January, despite notifying her superiors that her surgery was rescheduled.
 11 Plaintiff FORD also discovered that she was not receiving the pay she was entitled to because
 12 Defendants had failed to place her on Covid leave.

13 244. In early February 2022, Plaintiff FORD spoke with her manager, Defendant
 14 FRED DOE. She inquired about the “back pay” that she was to receive. Defendant FRED
 15 DOE informed her that the check is in the mail.

16 245. One week later, Defendant FRED DOE, called her into his office to inform
 17 Plaintiff FORD that she will not be getting the promised pay increase or related “back pay.”
 18 When Plaintiff FORD inquired as to the reason, Defendant FRED DOE became agitated with
 19 her, told her to go talk to his manager, and demanded she leave his office.

20 246. In March 2022, Plaintiff FORD’s supervisor, Defendant TORRES, called
 21 Plaintiff FORD into his office to discuss the results of her annual review. There were no
 22 negative remarks or write ups against Plaintiff FORD.

23 247. Approximately one week later, and the day before she was scheduled to
 24 undergo surgery, TORRES handed Plaintiff FORD a Final Warning Letter stating she had
 25 excessive absences and write-ups for being late to work. Plaintiff FORD was in disbelief as
 26 she had not missed a single scheduled day of work or been late to work.

27 248. Plaintiff FORD disputed the allegations and was told that she would have to
 28 find and provide all documentation proving that she did not miss work or arrive late to work

1 on the dates alleged. This was demanded despite Defendant TESLA having full access to
2 those documents and knowing that Plaintiff FORD would be unable to retrieve the
3 documentation before she underwent surgery. She was then told that she would need to
4 address the issue with Manager, Defendant BEHRENS.

5 249. Defendant BEHRENS dismissed her and refused to address the issue.

6 250. Plaintiff FORD explained to Defendant TORRES that the dates they were
7 citing for poor attendance were inaccurate and she was not consistently tardy to work.
8 Defendant TORRES directed Plaintiff FORD to see Defendant BEHRENS who, again,
9 dismissed her and refused to address the issues.

10 251. Plaintiff FORD alleges that these phantom warnings and false accusations
11 were done in an effort to terminate her from her position and that Defendants' motivations
12 for doing so were racially motivated and discriminatory.

13 **Plaintiff ANTHONY HILL JR.**

14 252. At all times relevant, Plaintiff HILL was employed by TESLA, at its Fremont,
15 California factory, beginning in or around October 2018 until his ultimate termination on
16 April 06, 2022. HILL began his employment at TESLA as a Materials Handler. HILL is an
17 African American male.

18 253. HILL found his employment at TESLA increasingly difficult to enjoy due to
19 the daily racist epithets and harassment that he had to endure throughout his shifts. HILL's
20 supervisors, managers, and TESLA HR targeted HILL on the basis of his race.

21 254. September 2019 was the first time HILL reported the racial discrimination and
22 harassment he experienced at TESLA. In or around September 2019, HILL worked as a
23 Materials Handler under a supervisor who refused to promote HILL because of HILL's skin
24 color. The supervisor refused to promote any African American employees. The supervisor
25 further enticed HILL, as well as several other African American employees, to give the
26 supervisor a large sum of money in exchange for a level-up and a spot bonus.

27 255. HILL, finding this behavior offensive and discriminatory, reported the incident
28 to TESLA HR personnel, Defendant EMETTE DOE and Defendant BRITTNEY DOE on

1 separate occasions. Defendants EMETTE DOE and BRITTNEY DOE each informed HILL
2 that an investigation would be conducted. HILL did not hear back from TESLA HR.

3 256. TESLA HR failed to act upon HILL’s complaint until complaints from other
4 complainants regarding the same supervisor began surfacing. The complaints were nearly
5 identical to HILL’s complaints—that the supervisor did not promote any African American
6 employees and that the supervisor enticed African-American employees to give the
7 supervisor money in exchange for a promotion.

8 257. Although the supervisor was eventually terminated, TESLA’s racist culture
9 continues to live on. In or around January 2021, HILL requested for a work laptop from his
10 supervisor, Defendant RICK DOE. Non-African American employees in the same position
11 as HILL’s were provided with work laptops for fulfill their duties and responsibilities.

12 258. Without consideration, Defendant RICK DOE commented that many people
13 “steal the laptop” after termination and therefore HILL’s request for a laptop was denied. At
14 the same time, Defendant RICK DOE ordered a new laptop for another associate, Carlo, who
15 was working in the same position as HILL. Carlo, like Defendant RICK DOE, was of Asian
16 descent. Plaintiff HILL alleges that Defendant RICK DOE’s disparate treatment was racially
17 motivated and discriminatory.

18 259. HILL reported the incident involving Defendant RICK DOE to his manager,
19 Defendant JASON DOE and TESLA HR personnel, Defendant EMMETT DOE. After his
20 complaint, HILL was transferred to another station at TESLA. Plaintiff HILL alleges that
21 the transfer was retaliatory, racially motivated and discriminatory.

22 260. HILL received more severe treatment and discipline than non-African-
23 American employees. HILL was further reprimanded and threatened disciplinary actions for
24 conduct that non-African American employees were not similarly reprimanded or disciplined
25 for.

26 261. For example, HILL was reprimanded for taking his breaks and lunches.
27 However, non-African American employees in the same department were not similarly
28 reprimanded for taking their breaks or lunches at the same time.

1 262. HILL was also requested to take shorter lunches and breaks to promote
2 TESLA's efficiency. Non-African American employees in HILL's position were not
3 similarly requested to take shorter lunches and breaks.

4 263. HILL, along with other African-American employees, were assigned to the
5 most physically demanding posts in TESLA as compared to non-minority workers who were
6 given more technical, less physical tasks.

7 264. Throughout HILL's employment at TESLA, he and other African-American
8 employees were constantly sent to work at other departments or positions at TESLA. Non-
9 African-American employees were not similarly sent to work at other departments or
10 positions. In fact, HILL was sent to "clean up debris" around TESLA despite the fact that
11 HILL was not hired as a janitor and cleaning up debris was not part of his job duties.

12 265. HILL was passed over for promotions and level-ups in this department even
13 though he was clearly qualified for the promotions and level-ups. In fact, HILL was
14 repeatedly requested by Leads and Supervisors, and had trained many other employees who
15 have since became Leads.

16 266. Despite HILL's qualifications and abilities, TESLA has repeatedly failed to
17 promote him or give him the same benefits, bonuses, equity, and raises as other non-Black
18 workers who were "in charge," but rather, promoted others who were much less qualified.
19 The individuals promoted in place of HILL were non-African Americans.

20 267. In or around February 2022, an associate at TESLA called HILL a "Mayate",
21 which is the Spanish equivalent of the English racial slur "Nigger". HILL immediately
22 reported the incident to his supervisor, Defendant ZERU DOE and TESLA HR personnel,
23 Defendant BRITTNEY DOE and Defendant JORDAN DOE. HILL was told to wait until
24 further investigation.

25 268. HILL's complaints were proven futile again as he did not hear back from
26 TESLA regarding the investigation. Rather, on April 06, 2022, HILL was terminated for an
27 alleged forklift incident that HILL had no knowledge about.

28 **Plaintiff JADA BROWN**

1 269. At all times relevant, Plaintiff BROWN was employed by TESLA, at its
2 Fremont, California factory, beginning June 30, 2021 until her ultimate resignation on
3 January 20, 2022. BROWN is an African-American woman.

4 270. BROWN found her employment at TESLA increasingly difficult to enjoy due
5 to the daily racist epithets that she had to endure throughout her shifts. BROWN's leads,
6 supervisors, and managers continuously targeted her on the basis of her race.

7 271. For example, Defendant TOAN DOE, BROWN's immediate supervisor,
8 addressed BROWN using the term "Nigger" or "Nigga". Defendant TOAN DOE has
9 expressed to BROWN and other employees that the racial slur was "funny."

10 272. Defendant TOAN DOE further told BROWN that "this is not the hood,"
11 insinuating that all African-Americans are "from the hood." BROWN and other African
12 American employees in the department were "constantly being watched," "patronized," and
13 reminded daily that their jobs were "on the line." African American employees, including
14 BROWN, were constantly threatened disciplinary actions and termination without
15 justification.

16 273. Each time BROWN addressed her concerns to Defendant TOAN DOE
17 regarding his racist conduct, Defendant TOAN DOE mocked and laughed at BROWN, and
18 continued harassing BROWN. Defendant TOAN DOE further threatened to discipline or
19 terminate BROWN as she made her complaint.

20 274. BROWN received more severe treatment and discipline than non-minority
21 employees. She was disciplined and written up for taking her breaks, while non-minority
22 workers were not similarly disciplined or written up for the same actions. Many times,
23 BROWN was forced to end breaks and lunches early or would have to suffer further
24 harassment from her TESLA team.

25 275. In addition, BROWN was assigned to the most physically demanding posts in
26 TESLA as compared to non-minority workers who were given more technical, less physical
27 tasks.

28 276. During the department's down time, BROWN and other African American

1 employees in her department were moved to work at other departments. Non-African
 2 American employees in her department were not similarly transferred during the
 3 department’s down time.

4 277. The hostile environment at TESLA includes TESLA’s lack of care, sympathy,
 5 and attention to minority employees, including BROWN. BROWN’s concerns and
 6 complaints are repeatedly minimized, taken as a joke, and “brushed off”.

7 278. For example, after being notified about BROWN’s father’s death, Defendant
 8 TOAN DOE asked BROWN to “call [him] Daddy” instead.

9 279. In or about October 21, 2021, BROWN suffered an injury at TESLA. BROWN
 10 urgently notified her supervisors, Defendant TOAN DOE and Defendant JASMIN DOE, and
 11 her lead, Defendant JOSH DOE. Despite BROWN’s obvious need for medical care,
 12 Defendants TOAN DOE, JASMIN DOE, and JOSH DOE denied BROWN’s request to seek
 13 medical care and sent BROWN back to work.

14 280. Plaintiff BROWN alleges that Defendant TOAN DOE, Defendant JASMIN
 15 DOE, and Defendant JOSH DOE’s actions against BROWN were racially motivated and
 16 discriminatory.

17 281. On January 20, 2022, BROWN was forced to resign from TESLA due to the
 18 unbearable stress and harassment at TESLA.

FIRST CAUSE OF ACTION

RACIAL DISCRIMINATION (Cal. Govt. Code §12940 et. seq.)

(As to all Plaintiffs; Against all Defendants)

22 282. Plaintiffs incorporate by reference each and every allegation set forth in
 23 paragraphs 1 through 281 as though fully set forth herein.

24 283. At all times relevant to this action, Plaintiffs were employees of Defendant
 25 TESLA.

26 284. At all times relevant to this action, Defendant TESLA was an employer at
 27 defined under the California Fair Employment and Housing Act (“FEHA”).

28 285. At all times relevant to this action, Plaintiffs were covered by FEHA,

1 Government Code §§12940(a) and (j), which prohibits an employer from discriminating
2 against an employee on the basis of race and color.

3 286. Defendant TESLA knew or should have known of the racial discrimination
4 that was rampant in its factories.

5 287. Defendant TESLA consistently and continuously failed to take any action to
6 address, prevent, remedy, correct, eliminate or alleviate the racial discrimination against
7 Plaintiffs.

8 288. Defendant TESLA’s violations of FEHA caused Plaintiffs to suffer harm.

9 289. Defendant TESLA’s consistent and continuous failure to take any action in
10 response to complaints of racial discrimination was a substantial factor in causing Plaintiffs’
11 harms.

12 290. As a result of Defendant TESLA’s conduct as alleged herein, Plaintiffs
13 necessarily retained attorneys to prosecute the instant action. Plaintiffs are therefore entitled
14 to reasonable attorney’s fees and litigation costs, including expert witness fees and costs,
15 incurred in bringing this action.

16 291. Defendants acted maliciously, fraudulently, and oppressively, and/or with the
17 wrongful intention of injuring Plaintiffs, and/or with the conscious disregard of the rights
18 and safety of Plaintiffs, and/or with an improper and evil motive amounting to malice.
19 Plaintiffs are, therefore, entitled to recover punitive damages from Defendants in an amount
20 to be determined at the time of trial and in accordance with proof.

21 **SECOND CAUSE OF ACTION**

22 **RACIAL DISCRIMINATION IN VIOLATION OF THE UNRUH CIVIL RIGHTS**

23 **ACT (Cal. Civ. Code §51)**

24 **(As to all Plaintiffs; Against all Defendants)**

25 292. Plaintiffs incorporate by reference each and every allegation set forth in
26 paragraphs 1 through 291 as though fully set forth herein.

27 293. At all times relevant to this action, Plaintiffs were employees of Defendant
28 TESLA.

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294. Each Plaintiff is a minority, specifically of African- American or Hispanic descent.

295. Defendant TESLA is a business establishment for the purposes of the Unruh Civil Rights Act.

296. Defendant TESLA intentionally acted in discriminatory manners in its business establishment against Plaintiffs. Defendant TESLA’s supervisors, managers, leads, employees and agents used racist slurs, epithets, and imagery to discriminate, harass and intimidate Plaintiffs; ignored repeated complaints and reports regarding the discrimination, harassment, and intimidation; and prevented Plaintiffs from accessing full and equal accommodations, advantages, and privileges in retaliation for reporting and complaining about the discrimination, harassment and intimidation.

297. Defendant TESLA’s violation of the Unruh Civil Rights Act caused Plaintiffs to suffer harm as set forth herein.

298. As a result of Defendants’ unlawful acts, Plaintiffs are entitled to recover statutory damages of a maximum of three times the amount of actual damages, or a minimum of \$4,000.00.

299. As a result of Defendant TESLA’s conduct as alleged herein, Plaintiffs necessarily retained attorneys to prosecute the instant action. Plaintiffs are therefore entitled to reasonable attorney’s fees and litigation costs, including expert witness fees and costs, incurred in bringing this action.

300. Defendants acted maliciously, fraudulently, and oppressively, and/or with the wrongful intention of injuring Plaintiffs, and/or with the conscious disregard of the rights and safety of Plaintiffs, and/or with an improper and evil motive amounting to malice. Plaintiffs are, therefore, entitled to recover punitive damages from Defendants in an amount to be determined at the time of trial and in accordance with proof.

THIRD CAUSE OF ACTION

RACIAL HARRASMENT (Cal. Govt. Code §12940 et. seq.)

(As to all Plaintiffs; Against all Defendants)

1 301. Plaintiffs incorporate by reference each and every allegation set forth in
2 paragraphs 1 through 300 as though fully set forth herein.

3 302. At all times relevant to this action, Plaintiffs were employees of Defendant
4 TESLA.

5 303. At all times relevant to this action, Defendant TESLA was an employer as
6 defined under the California Fair Employment and Housing Act (“FEHA”).

7 304. At all times relevant to this action, Plaintiffs were covered by FEHA,
8 Government Code §§12940(a) and (j), which prohibits an employer from discriminating
9 against and harassing an employee on the basis of race and color.

10 305. Defendant TESLA and its managers, supervisors, leads and employees acted
11 in manners that constitute racial harassment and discrimination in violation of FEHA.
12 Plaintiffs were subjected to working in a racially hostile work environment which led to
13 interferences with their work performances, were denied employment privileges, and were
14 adversely affected relating to the terms and conditions of their jobs on the basis of race.

15 306. The harassment to which Plaintiffs were subjected was so severe, widespread
16 and/or persistent that a reasonable African-American or Hispanic person in Plaintiffs’ shoes
17 would have considered the work environment to be hostile and/or abusive.

18 307. Plaintiffs believed and considered the work environment to be hostile and/or
19 abusive.

20 308. Defendant TESLA knew or should have known of the racial harassment that
21 ran rampant in its factories.

22 309. Defendant TESLA consistently and continuously failed to take any action to
23 address, prevent, remedy, correct, eliminate or alleviate the racial harassment against
24 Plaintiffs.

25 310. Defendant TESLA’s violations of FEHA caused Plaintiffs to suffer harm.

26 311. Defendant TESLA’s consistent and continuous failure to take any action in
27 response to complaints of racial harassment was a substantial factor in causing Plaintiffs’
28 harms.

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312. As a result of Defendant TESLA’s conduct as alleged herein, Plaintiffs necessarily retained attorneys to prosecute the instant action. Plaintiffs are therefore entitled to reasonable attorney’s fees and litigation costs, including expert witness fees and costs, incurred in bringing this action.

313. Defendants acted maliciously, fraudulently, and oppressively, and/or with the wrongful intention of injuring Plaintiffs, and/or with the conscious disregard of the rights and safety of Plaintiffs, and/or with an improper and evil motive amounting to malice. Plaintiffs are, therefore, entitled to recover punitive damages from Defendants in an amount to be determined at the time of trial and in accordance with proof.

FOURTH CAUSE OF ACTION

RETALIATION (Cal. Labor Code §1102.5)

(As to Plaintiffs HOUSTON-GODFREY; FORD; HILL; ALOWONLE; MONTIECO; MITCHELL; SWANSON; GONSALVEZ; IRIZARRY; WILSON; MORRIS; AGHEDO; and BROWN Against Defendants TESLA; STINSON; FRED DOE; BEHRENS; TORRES; SANKAR DOE; SHAUN DOE; EMETT DOE; BRITTNEY DOE; ROCK DOE; JASON DOE; ZERU DOE; JORDAN DOE; CEVEN DOE; JUDY DOE; MARIA DOE; ANTHONY DOE; MELO DOE; CHRISTINE DOE; ARNOLD DOE; CLINTON DOE; ANTONIO DOE; JAMES DOE; DEREK DOE; ANTHONY ROE; BEHROZE DOE; VICTOR DOE; NORA DOE; MATT DOE; BILL DOE; JASON DOE; RODNEY DOE; NICK DOE; JULIO DOE; MINH DOE; LOUIS DOE; ROB DOE; PHIL DOE; GERALINE DOE; MIGUEL DOE; MICHAEL DOE; ANTHONY MOE; FERNANDA DOE; TOAN DOE; JASMIN DOE; JOSH DOE and DOES 1-50)

314. Plaintiffs incorporate by reference each and every allegation set forth in paragraphs 1 through 313 as though fully set forth herein.

315. At all times relevant to this action, Defendant TESLA was an employer as defined under the California Fair Employment and Housing Act (“FEHA”).

316. Plaintiffs engaged in protected activity when they reported the racially harassing and discriminating behavior to Defendant TESLA, including the threat to terminate

1 employment due to refusal to endure daily racial discrimination and harassment.

2 317. Plaintiffs had reasonable and good-faith beliefs that the racial discrimination
3 and harassment was violative of state and federal laws, including but not limited to the Civil
4 Rights Act of 1964.

5 318. Defendant TESLA took adverse employment actions against these Plaintiffs.

6 319. Plaintiff HOUSTON-GODFREY engaged in protected activities when she
7 reported instances of harassment and discrimination to her supervisors.

8 320. Without justification or basis in fact, Defendant TESLA made false allegations
9 against Plaintiff HOUSTON-GODFREY, placed her on unnecessary leave, subjected her to
10 threats of termination of employment, assaulted her, and withheld promotions and pay
11 increases.

12 321. In doing so, Defendant TESLA ratified the discriminatory and harassing
13 behavior of its managers, supervisors, leads and other employees toward Plaintiff
14 HOUSTON-GODFREY.

15 322. Plaintiff MITCHELL engaged in protected activity when she reported
16 instances of racism, lack of communication from her leads, and lack of safety precautions to
17 her supervisors.

18 323. Without justification or basis in fact, Defendant TESLA terminated Plaintiff
19 MITCHELL's employment.

20 324. In doing so, Defendant TESLA ratified the discriminatory and harassing
21 behavior of its managers, supervisors, leads and other employees toward Plaintiff
22 MITCHELL.

23 325. Plaintiff BROWN engaged in protected activity when she reported instances
24 of racism and discrimination to her supervisors.

25 326. Without justification or basis in fact, Defendant TESLA threatened to
26 terminate Plaintiff BROWN, called her racial slurs, failed to provide her with legally-
27 mandated breaks, and made her work environment unbearable.

28 327. In doing so, Defendant TESLA ratified the discriminatory and harassing

1 behavior of its managers, supervisors, leads and other employees toward Plaintiff BROWN.

2 328. Plaintiff WILSON engaged in protected activity when she reported instances
3 of racism, discrimination and sexual harassment to her supervisors.

4 329. Without justification or basis in fact, Defendant TESLA refused to investigate
5 these reports and complaints made by Plaintiff WILSON, refused to address the instances of
6 racism, discrimination and harassment, and continuously made her work environment
7 unbearable.

8 330. In doing so, Defendant TESLA ratified the discriminatory and harassing
9 behavior of its managers, supervisors, leads and other employees toward Plaintiff WILSON.

10 331. Plaintiff ALOWONLE engaged in protected activity when he reported
11 instances of racism, discrimination and fraud.

12 332. Without justification or basis in fact, Defendant TESLA terminated Plaintiff
13 ALOWONLE's employment.

14 333. In doing so, Defendant TESLA ratified the discriminatory and harassing
15 behavior of its managers, supervisors, leads and other employees toward Plaintiff
16 ALOWONLE.

17 334. Plaintiff FORD engaged in protected activity when she took a leave of absence
18 for a medical procedure and inquired about wages that she had not received.

19 335. Without justification or basis in fact, Defendant TESLA made false allegations
20 against Plaintiff FORD, placed her on unnecessary leave, subjected her to threats of
21 termination of employment, and withheld wages and pay increases.

22 336. In doing so, Defendant TESLA ratified the retaliatory, discriminatory and
23 harassing behavior of its managers, supervisors, leads and other employees toward Plaintiff
24 FORD.

25 337. Plaintiff HILL engaged in protected activity when he reported instances of
26 racism and discrimination to his supervisors.

27 338. Without justification or basis in fact, Defendant TESLA reassigned Plaintiff
28 HILL to numerous departments that were not part of his job title, subjected him to continuous

1 threats of termination of employment, refused to investigate his complaints, and made his
2 work environment unbearable.

3 339. In doing so, Defendant TESLA ratified the discriminatory and harassing
4 behavior of its managers, supervisors, leads and other employees toward Plaintiff HILL.

5 340. Plaintiff MONTIECO engaged in protected activity when he notified his
6 supervisors that he is taking a lawful leave of absence and, with approval, did so.

7 341. Without justification or basis in fact, Defendant TESLA demoted Plaintiff
8 MONTIECO.

9 342. In doing so, Defendant TESLA ratified the discriminatory and retaliatory
10 behavior of its managers, supervisors, leads and other employees toward Plaintiff
11 MONTIECO.

12 343. Plaintiff SWANSON engaged in protected activity when he reported instances
13 of racism and discrimination to his supervisors and requested accommodations for injuries
14 sustained while working.

15 344. Without justification or basis in fact, Defendant TESLA suspended Plaintiff
16 SWANSON, threatened to terminate his employment, refused to investigate Plaintiff
17 SWANSON's complaints, refused to accommodate his injuries, and made his work
18 environment unbearable.

19 345. In doing so, Defendant TESLA ratified the racist, discriminatory and harassing
20 behavior of its managers, supervisors, leads and other employees toward Plaintiff
21 SWANSON.

22 346. Plaintiff IRIZARRY engaged in protected activity when he reported instances
23 of sexual harassment of a female employee to his supervisors.

24 347. Without justification or basis in fact, Defendant TESLA terminated Plaintiff
25 IRIZARRY's employment.

26 348. In doing so, Defendant TESLA ratified the unlawful and harassing behavior of
27 its managers, supervisors, leads and other employees.

28 349. Plaintiff MORRIS engaged in protected activity when he reported instances of

1 racism and discrimination to his supervisors.

2 350. Without justification or basis in fact, Defendant TESLA refused to investigate
3 Plaintiff MORRIS' complaints, and transferred him to a department which was significantly
4 more labor-intensive as a punishment for complaining.

5 351. In doing so, Defendant TESLA ratified the discriminatory and harassing
6 behavior of its managers, supervisors, leads and other employees toward Plaintiff MORRIS.

7 352. Plaintiff AGHEDO engaged in protected activity when he reported instances
8 of racism, assault, discrimination and retaliation to his supervisors.

9 353. Without justification or basis in fact, Defendant TESLA refused to investigate
10 Plaintiff AGHEDO's complaints, refused to address the assault and discrimination, and
11 continuously made his work environment unbearable.

12 354. In doing so, Defendant TESLA ratified the discriminatory and harassing
13 behavior of its managers, supervisors, leads and other employees toward Plaintiff AGHEDO.

14 355. Plaintiff GONSALVEZ engaged in protected activity when he reported
15 instances of racism and discrimination to his supervisors.

16 356. Without justification or basis in fact, Defendant TESLA refused to investigate
17 Plaintiff GONSALVEZ's complaints, continuously made his work environment unbearable
18 and ultimately terminated his employment.

19 357. In doing so, Defendant TESLA ratified the discriminatory and harassing
20 behavior of its managers, supervisors, leads and other employees toward Plaintiff
21 GONSALVEZ.

22 358. Defendants' violations of California Labor Code §1102.5 caused these
23 Plaintiffs to suffer harm.

24 359. As a result of Defendants' unlawful acts, Plaintiffs are entitled to recover civil
25 penalties of \$10,000.00 for each violation.

26 360. As a result of Defendant TESLA's conduct as alleged herein, Plaintiffs
27 necessarily retained attorneys to prosecute the instant action. Plaintiffs are therefore entitled
28 to reasonable attorney's fees and litigation costs, including expert witness fees and costs,

1 incurred in bringing this action.

2 361. Defendants acted maliciously, fraudulently, and oppressively, and/or with the
3 wrongful intention of injuring Plaintiffs, and/or with the conscious disregard of the rights
4 and safety of Plaintiffs, and/or with an improper and evil motive amounting to malice.
5 Plaintiffs are, therefore, entitled to recover punitive damages from Defendants in an amount
6 to be determined at the time of trial and in accordance with proof.

7 **FIFTH CAUSE OF ACTION**

8 **RETALIATION IN VIOLATION OF THE UNRUH CIVIL RIGHTS ACT**

9 **(Cal. Civ. Code §51)**

10 (As to Plaintiffs HOUSTON-GODFREY; FORD; HILL; ALOWONLE; MONTIECO;
11 MITCHELL; SWANSON; GONSALVEZ; IRIZARRY; WILSON; MORRIS; AGHEDO;
12 and BROWN Against Defendants TESLA; STINSON; FRED DOE; BEHRENS; TORRES;
13 SANKAR DOE; SHAUN DOE; EMETT DOE; BRITTNEY DOE; ROCK DOE; JASON
14 DOE; ZERU DOE; JORDAN DOE; CEVEN DOE; JUDY DOE; MARIA DOE;
15 ANTHONY DOE; MELO DOE; CHRISTINE DOE; ARNOLD DOE; CLINTON DOE;
16 ANTONIO DOE; JAMES DOE; DEREK DOE; ANTHONY ROE; BEHROZE DOE;
17 VICTOR DOE; NORA DOE; MATT DOE; BILL DOE; JASON DOE; RODNEY DOE;
18 NICK DOE; JULIO DOE; MINH DOE; LOUIS DOE; ROB DOE; PHIL DOE; GERALINE
19 DOE; MIGUEL DOE; MICHAEL DOE; ANTHONY MOE; FERNANDA DOE; TOAN
20 DOE; JASMIN DOE; JOSH DOE and DOES 1-50)

21 362. Plaintiffs incorporate by reference each and every allegation set forth in
22 paragraphs 1 through 361 as though fully set forth herein.

23 363. The Unruh Civil Rights Act, *California Civil Code* §51, prohibits retaliation
24 against persons who complain about conduct they reasonably believe to violate the Act.

25 364. Plaintiffs reasonably believed that the discrimination and harassment they
26 experienced at Defendant TESLA’s facilities were violations of their rights under California
27 law.

28 365. Plaintiffs reported and/or complained about the discrimination and harassment

1 and Defendants retaliated against each of them.

2 366. Plaintiff HOUSTON-GODFREY engaged in protected activities when she
3 reported instances of harassment and discrimination to her supervisors.

4 367. Without justification or basis in fact, Defendant TESLA made false allegations
5 against Plaintiff HOUSTON-GODFREY, placed her on unnecessary leave, subjected her to
6 threats of termination of employment, assaulted her, and withheld promotions and pay
7 increases.

8 368. In doing so, Defendant TESLA ratified the discriminatory and harassing
9 behavior of its managers, supervisors, leads and other employees toward Plaintiff
10 HOUSTON-GODFREY.

11 369. Plaintiff MITCHELL engaged in protected activity when she reported
12 instances of racism, lack of communication from her leads, and lack of safety precautions to
13 her supervisors.

14 370. Without justification or basis in fact, Defendant TESLA terminated Plaintiff
15 MITCHELL's employment.

16 371. In doing so, Defendant TESLA ratified the discriminatory and harassing
17 behavior of its managers, supervisors, leads and other employees toward Plaintiff
18 MITCHELL.

19 372. Plaintiff BROWN engaged in protected activity when she reported instances
20 of racism and discrimination to her supervisors.

21 373. Without justification or basis in fact, Defendant TESLA threatened to
22 terminate Plaintiff BROWN, called her racial slurs, failed to provide her with legally-
23 mandated breaks, and made her work environment unbearable.

24 374. In doing so, Defendant TESLA ratified the discriminatory and harassing
25 behavior of its managers, supervisors, leads and other employees toward Plaintiff BROWN.

26 375. Plaintiff WILSON engaged in protected activity when she reported instances
27 of racism, discrimination and sexual harassment to her supervisors.

28 376. Without justification or basis in fact, Defendant TESLA refused to investigate

1 these reports and complaints made by Plaintiff WILSON, refused to address the instances of
2 racism, discrimination and harassment, and continuously made her work environment
3 unbearable.

4 377. In doing so, Defendant TESLA ratified the discriminatory and harassing
5 behavior of its managers, supervisors, leads and other employees toward Plaintiff WILSON.

6 378. Plaintiff ALOWONLE engaged in protected activity when he reported
7 instances of racism, discrimination and fraud.

8 379. Without justification or basis in fact, Defendant TESLA terminated Plaintiff
9 ALOWONLE's employment.

10 380. In doing so, Defendant TESLA ratified the discriminatory and harassing
11 behavior of its managers, supervisors, leads and other employees toward Plaintiff
12 ALOWONLE.

13 381. Plaintiff FORD engaged in protected activity when she took a leave of absence
14 for a medical procedure and inquired about wages that she had not received.

15 382. Without justification or basis in fact, Defendant TESLA made false allegations
16 against Plaintiff FORD, placed her on unnecessary leave, subjected her to threats of
17 termination of employment, and withheld wages and pay increases.

18 383. In doing so, Defendant TESLA ratified the retaliatory, discriminatory and
19 harassing behavior of its managers, supervisors, leads and other employees toward Plaintiff
20 FORD.

21 384. Plaintiff HILL engaged in protected activity when he reported instances of
22 racism and discrimination to his supervisors.

23 385. Without justification or basis in fact, Defendant TESLA reassigned Plaintiff
24 HILL to numerous departments that were not part of his job title, subjected him to continuous
25 threats of termination of employment, refused to investigate his complaints, and made his
26 work environment unbearable.

27 386. In doing so, Defendant TESLA ratified the discriminatory and harassing
28 behavior of its managers, supervisors, leads and other employees toward Plaintiff HILL.

1 387. Plaintiff MONTIECO engaged in protected activity when he notified his
2 supervisors that he is taking a lawful leave of absence and, with approval, did so.

3 388. Without justification or basis in fact, Defendant TESLA demoted Plaintiff
4 MONTIECO.

5 389. In doing so, Defendant TESLA ratified the discriminatory and retaliatory
6 behavior of its managers, supervisors, leads and other employees toward Plaintiff
7 MONTIECO.

8 390. Plaintiff SWANSON engaged in protected activity when he reported instances
9 of racism and discrimination to his supervisors and requested accommodations for injuries
10 sustained while working.

11 391. Without justification or basis in fact, Defendant TESLA suspended Plaintiff
12 SWANSON, threatened to terminate his employment, refused to investigate Plaintiff
13 SWANSON's complaints, refused to accommodate his injuries, and made his work
14 environment unbearable.

15 392. In doing so, Defendant TESLA ratified the racist, discriminatory and harassing
16 behavior of its managers, supervisors, leads and other employees toward Plaintiff
17 SWANSON.

18 393. Plaintiff IRIZARRY engaged in protected activity when he reported instances
19 of sexual harassment of a female employee to his supervisors.

20 394. Without justification or basis in fact, Defendant TESLA terminated Plaintiff
21 IRIZARRY's employment.

22 395. In doing so, Defendant TESLA ratified the unlawful and harassing behavior of
23 its managers, supervisors, leads and other employees.

24 396. Plaintiff MORRIS engaged in protected activity when he reported instances of
25 racism and discrimination to his supervisors.

26 397. Without justification or basis in fact, Defendant TESLA refused to investigate
27 Plaintiff MORRIS' complaints, and transferred him to a department which was significantly
28 more labor-intensive as a punishment for complaining.

1 398. In doing so, Defendant TESLA ratified the discriminatory and harassing
2 behavior of its managers, supervisors, leads and other employees toward Plaintiff MORRIS.

3 399. Plaintiff AGHEDO engaged in protected activity when he reported instances
4 of racism, assault, discrimination and retaliation to his supervisors.

5 400. Without justification or basis in fact, Defendant TESLA refused to investigate
6 Plaintiff AGHEDO's complaints, refused to address the assault and discrimination, and
7 continuously made his work environment unbearable.

8 401. In doing so, Defendant TESLA ratified the discriminatory and harassing
9 behavior of its managers, supervisors, leads and other employees toward Plaintiff AGHEDO.

10 402. Plaintiff GONSALVEZ engaged in protected activity when he reported
11 instances of racism and discrimination to his supervisors.

12 403. Without justification or basis in fact, Defendant TESLA refused to investigate
13 Plaintiff GONSALVEZ's complaints, continuously made his work environment unbearable
14 and ultimately terminated his employment.

15 404. In doing so, Defendant TESLA ratified the discriminatory and harassing
16 behavior of its managers, supervisors, leads and other employees toward Plaintiff
17 GONSALVEZ.

18 405. Defendants' violations of the Unruh Civil Rights Act caused Plaintiffs to suffer
19 harm.

20 406. As a result of Defendants' unlawful acts, Plaintiffs are entitled to recover
21 statutory damages of a maximum of three times the amount of actual damages, or a minimum
22 of \$4,000.00.

23 407. As a result of Defendant TESLA's conduct as alleged herein, Plaintiffs
24 necessarily retained attorneys to prosecute the instant action. Plaintiffs are therefore entitled
25 to reasonable attorney's fees and litigation costs, including expert witness fees and costs,
26 incurred in bringing this action.

27 408. Defendants acted maliciously, fraudulently, and oppressively, and/or with the
28 wrongful intention of injuring Plaintiffs, and/or with the conscious disregard of the rights

1 and safety of Plaintiffs, and/or with an improper and evil motive amounting to malice.
2 Plaintiffs are, therefore, entitled to recover punitive damages from Defendants in an amount
3 to be determined at the time of trial and in accordance with proof.

4 **SIXTH CAUSE OF ACTION**

5 **RETALIATION (Cal. Govt. Code §12940(h))**

6 (As to Plaintiffs HOUSTON-GODFREY; FORD; HILL; ALLOWONLE; MONTIECO;
7 MITCHELL; SWANSON; GONSALVEZ; IRIZARRY; WILSON; MORRIS; AGHEDO;
8 and BROWN Against Defendants TESLA; STINSON; FRED DOE; BEHRENS; TORRES;
9 SANKAR DOE; SHAUN DOE; EMETT DOE; BRITTNEY DOE; ROCK DOE; JASON
10 DOE; ZERU DOE; JORDAN DOE; CEVEN DOE; JUDY DOE; MARIA DOE;
11 ANTHONY DOE; MELO DOE; CHRISTINE DOE; ARNOLD DOE; CLINTON DOE;
12 ANTONIO DOE; JAMES DOE; DEREK DOE; ANTHONY ROE; BEHROZE DOE;
13 VICTOR DOE; NORA DOE; MATT DOE; BILL DOE; JASON DOE; RODNEY DOE;
14 NICK DOE; JULIO DOE; MINH DOE; LOUIS DOE; ROB DOE; PHIL DOE; GERALINE
15 DOE; MIGUEL DOE; MICHAEL DOE; ANTHONY MOE; FERNANDA DOE; TOAN
16 DOE; JASMIN DOE; JOSH DOE and DOES 1-50)

17 409. Plaintiffs incorporate by reference each and every allegation set forth in
18 paragraphs 1 through 408 as though fully set forth herein.

19 410. At all times relevant to this action, Plaintiffs were employees of Defendant
20 TESLA.

21 411. At all times relevant to this action, Defendant TESLA was an employer as
22 defined under the California Fair Employment and Housing Act (“FEHA”).

23 412. Plaintiffs engaged in protected activity when he/she/they reported unlawful
24 activity occurring at Defendant TESLA’s facility and by Defendant TESLA’s employees.

25 413. Plaintiffs engaged in protected activity when they reported racially harassing
26 and discriminating behavior to Defendant TESLA, including the threat to terminate
27 employment due to refusal to endure daily racial discrimination and harassment.

28 414. Defendant TESLA took no action to ensure that Plaintiffs were not retaliated

1 against or threatened for having complained.

2 415. As a result of Defendant TESLA’s actions or inactions, Plaintiffs were
3 subjected to additional harassment, adverse employment actions, and hostile work
4 environments.

5 416. Defendants’ violations of FEHA caused Plaintiffs to suffer harm.

6 417. As a result of Defendant TESLA’s conduct as alleged herein, Plaintiffs
7 necessarily retained attorneys to prosecute the instant action. Plaintiffs are therefore entitled
8 to reasonable attorney’s fees and litigation costs, including expert witness fees and costs,
9 incurred in bringing this action.

10 418. Defendants acted maliciously, fraudulently, and oppressively, and/or with the
11 wrongful intention of injuring Plaintiffs, and/or with the conscious disregard of the rights
12 and safety of Plaintiffs, and/or with an improper and evil motive amounting to malice.
13 Plaintiffs are, therefore, entitled to recover punitive damages from Defendants in an amount
14 to be determined at the time of trial and in accordance with proof.

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18 **SEVENTH CAUSE OF ACTION**
19 **INTERFERENCE WITH CONSTITUTIONAL RIGHTS**

20 **(Cal. Civ. Code §52.1)**

21 **(As to all Plaintiffs; Against all Defendants)**

22 419. Plaintiffs incorporate by reference each and every allegation set forth in
23 paragraphs 1 through 418 as though fully set forth herein.

24 420. Defendants interfered with Plaintiffs’ constitutional right entitling them to
25 equal protection.

26 421. Defendant TESLA adopted the conduct, through its officers, directors,
27 managing agents and/or supervisory employees. Defendant TESLA further ratified the
28 conduct by failing to take appropriate corrective or remedial action.

1 422. A substantial motivating reason for Defendants’ conduct was Plaintiffs’ race.

2 423. Defendants interfered with Plaintiffs’ right to be free from discrimination on
3 the basis of race as set forth herein and permitted working conditions and a workplace
4 environment that denied Plaintiffs their constitutional right to equal protection.

5 424. Defendants’ conduct caused Plaintiffs to suffer, and continue to suffer,
6 damages as set forth herein.

7 425. As a result of Defendant TESLA’s conduct as alleged herein, Plaintiffs
8 necessarily retained attorneys to prosecute the instant action. Plaintiffs are therefore entitled
9 to reasonable attorney’s fees and litigation costs, including expert witness fees and costs,
10 incurred in bringing this action.

11 426. Defendants acted maliciously, fraudulently, and oppressively, and/or with the
12 wrongful intention of injuring Plaintiffs, and/or with the conscious disregard of the rights
13 and safety of Plaintiffs, and/or with an improper and evil motive amounting to malice.
14 Plaintiffs are, therefore, entitled to recover punitive damages from Defendants in an amount
15 to be determined at the time of trial and in accordance with proof.

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18 **EIGHTH CAUSE OF ACTION**

19 **FAILURE TO PREVENT DISCRIMINATION AND HARASSMENT**

20 **(Cal. Govt. Code §12940 et. seq.)**

21 **(As to all Plaintiffs; Against all Defendants)**

22 427. Plaintiffs incorporate by reference each and every allegation set forth in
23 paragraphs 1 through 426 as though fully set forth herein.

24 428. At all times relevant to this action, Plaintiffs were employees of Defendant
25 TESLA.

26 429. At all times relevant to this action, Defendant TESLA was an employer as
27 defined under the California Fair Employment and Housing Act (“FEHA”).

28 430. At all times relevant to this action, Plaintiffs were covered by FEHA,

1 Government Code §§12940 et. seq.

2 431. Defendant TESLA and its managers, supervisors, leads and employees acted
3 in manners that constitute racial harassment and discrimination in violation of FEHA.
4 Plaintiffs were subjected to working in a racially hostile work environment which led to
5 interferences with their work performances, were denied employment privileges, and were
6 adversely affected relating to the terms and conditions of their jobs on the basis of race.

7 432. The harassment to which Plaintiffs were subjected was so severe, widespread
8 and/or persistent that a reasonable African-American or Hispanic person in Plaintiffs' shoes
9 would have considered the work environment to be hostile and/or abusive.

10 433. Plaintiffs believed and considered the work environment to be hostile and/or
11 abusive.

12 434. Defendant TESLA knew or should have known of the racial harassment that
13 ran rampant in its factories.

14 435. Defendant TESLA consistently and continuously failed to take any action to
15 address, prevent, remedy, correct, eliminate or alleviate the racial harassment against
16 Plaintiffs.

17 436. Despite being on notice of Defendant TESLA's employees' propensity to
18 engage in harassing conduct, Defendant TESLA failed to act to prevent employees from
19 harassing and/or discriminating against Plaintiffs.

20 437. Defendant TESLA failed to enact an anti-discrimination policy and/or failed
21 to distribute it appropriately and failed to effectively train its employees on racial harassment
22 and discrimination.

23 438. Defendant TESLA's violations of FEHA caused Plaintiffs to suffer harm.

24 439. Defendant TESLA's consistent and continuous failure to take any action in
25 response to complaints of racial harassment was a substantial factor in causing Plaintiffs'
26 harms.

27 440. As a result of Defendant TESLA's conduct as alleged herein, Plaintiffs
28 necessarily retained attorneys to prosecute the instant action. Plaintiffs are therefore entitled

1 to reasonable attorney's fees and litigation costs, including expert witness fees and costs,
2 incurred in bringing this action.

3 441. Defendants acted maliciously, fraudulently, and oppressively, and/or with the
4 wrongful intention of injuring Plaintiffs, and/or with the conscious disregard of the rights
5 and safety of Plaintiffs, and/or with an improper and evil motive amounting to malice.
6 Plaintiffs are, therefore, entitled to recover punitive damages from Defendants in an amount
7 to be determined at the time of trial and in accordance with proof.

8 **NINTH CAUSE OF ACTION**

9 **NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

10 **(As to all Plaintiffs; Against all Defendants)**

11 442. Plaintiffs incorporate by reference each and every allegation set forth in
12 paragraphs 1 through 441 as though fully set forth herein.

13 443. At all times relevant to this action, Plaintiffs were employees or contractors of
14 Defendant TESLA.

15 444. As employees and contractors of Defendant TESLA, Plaintiffs were owed a
16 duty of due care by Defendants, and each of them, to ensure that Plaintiffs were not exposed
17 to foreseeable harms.

18 445. Defendants, and each of them, knew or should have known, that Plaintiffs were
19 being subjected to racial harassment, discrimination and retaliation, and that, by failing to
20 exercise due care to prevent racially harassing, discriminatory and retaliatory conduct,
21 Plaintiffs could and would suffer serious emotional distress.

22 446. Defendants, and each of them, failed to exercise their duty of due care to
23 prevent their employees, managers, leads, supervisors and/or officers from racially harassing,
24 discriminating and retaliating against Plaintiffs.

25 447. As a direct and proximate cause of the acts and omissions of the Defendants,
26 Plaintiffs suffered, and continue to suffer emotional distress and psychological damage. This
27 includes, but is not limited to: humiliation, mental anguish, stress, grief, fear, depression and
28 anxiety.

1 and safety of Plaintiffs, and/or with an improper and evil motive amounting to malice.
 2 Plaintiffs are, therefore, entitled to recover punitive damages from Defendants in an amount
 3 to be determined at the time of trial and in accordance with proof.

4 **ELEVENTH CAUSE OF ACTION**

5 **NEGLIGENT HIRING, RETENTION AND SUPERVISION**

6 **(As to all Plaintiffs; Against all Defendants)**

7 457. Plaintiffs incorporate by reference each and every allegation set forth in
 8 paragraphs 1 through 456 as though fully set forth herein.

9 458. Upon information and belief, Defendants, by and through its agents and
 10 employees, knew, or reasonably should have known through reasonable investigation, of
 11 some of its agents and/or employees’ propensity for unlawful racially harassing and
 12 discriminatory behavior.

13 459. Defendants had a duty not to hire or retain these employees/agents given their
 14 wrongful, dangerous, and racially offensive propensities, and to provide reasonable
 15 supervision of these employees/agents.

16 460. Defendants negligently hired, retained, and/or failed to adequately supervise
 17 these employees/agents in their positions where they were able to commit the wrongful acts
 18 against Plaintiffs as alleged herein. Defendants failed to provide reasonable supervision of
 19 these employees/agents despite knowing of their propensities and complaints made against
 20 them.

21 461. As a direct and proximate cause of the acts and omissions of the Defendants,
 22 Plaintiffs suffered, and continue to suffer emotional distress and psychological damage. This
 23 includes, but is not limited to: humiliation, mental anguish, stress, grief, fear, depression and
 24 anxiety.

25 462. Defendants’ actions have also resulted in past wage and benefit loss, and are
 26 expected to lead to additional economic loss in the future.

27 463. Defendants’ acts were malicious and oppressive, and intended to vex, injure,
 28 annoy, humiliate, and embarrass Plaintiffs, and with conscious disregard of the rights and

1 safety of Plaintiffs and other minority employees of Defendants. Plaintiffs are informed and
2 therefore believe, and based thereon allege, that managing agents ratified the wrongful
3 conduct of the Defendants’ employees, because they were aware of this conduct and failed
4 to take immediate remedial action, and retained the errant employees after Plaintiffs’ reports
5 of the oppressive conduct.

6 464. Plaintiffs allege that Defendants are responsible for the harms they suffered.

7 **TWELVTH CAUSE OF ACTION**

8 **WRONGFUL TERMINATION**

9 (As to Plaintiffs MITCHELL; GONSALVEZ; IRRIZARY; ALLAH; ALOWONLE; HILL;
10 and AGHEDO; Against Defendant TESLA; CEVEN DOE; JUDY DOE; MARIA DOE;
11 CLINTON DOE; JAMES DOE; DEREK DOE; JASON DOE; RODNEY DOE; SANKAR
12 DOE; SHAUN DOE; EMETTE DOE; BRITTNEY DOE; RICK DOE; JASON DOE; ZERU
13 DOE; JORDAN DOE; LOUIS DOE; ROB DOE; PHIL DOE; GARALDINE DOE;
14 MIGUEL DOE; MICHAEL DOE; ANTHONY MOE; FERNANDA DOE; and DOES 1-50)

15 465. Plaintiffs incorporate by reference each and every allegation set forth in
16 paragraphs 1 through 464 as though fully set forth herein.

17 466. At all times relevant to this action, Plaintiffs were employees or contractors of
18 Defendant TESLA.

19 467. Defendant TESLA punished Plaintiffs by terminating their employment.

20 468. Plaintiff MITCHELL engaged in protected activity when she reported
21 instances of racism, lack of communication from her leads, and lack of safety precautions to
22 her supervisors.

23 469. Without justification or basis in fact, Defendant TESLA terminated Plaintiff
24 MITCHELL’s employment.

25 470. Plaintiff ALOWONLE engaged in protected activity when he reported
26 instances of racism, discrimination and fraud.

27 471. Without justification or basis in fact, Defendant TESLA terminated Plaintiff
28 ALOWONLE’s employment.

1 472. Plaintiff HILL engaged in protected activity when he reported instances of
2 racism and discrimination to his supervisors.

3 473. Without justification or basis in fact, Defendant TESLA reassigned Plaintiff
4 HILL to numerous departments that were not part of his job title, subjected him to continuous
5 threats of termination of employment, refused to investigate his complaints, and made his
6 work environment unbearable.

7 474. Plaintiff IRIZARRY engaged in protected activity when he reported instances
8 of sexual harassment of a female employee to his supervisors.

9 475. Without justification or basis in fact, Defendant TESLA terminated Plaintiff
10 IRIZARRY's employment.

11 476. Plaintiff AGHEDO engaged in protected activity when he reported instances
12 of racism, assault, discrimination and retaliation to his supervisors.

13 477. Without justification or basis in fact, Defendant TESLA refused to investigate
14 Plaintiff AGHEDO's complaints, refused to address the assault and discrimination, and
15 continuously made his work environment unbearable.

16 478. Plaintiff GONSALVEZ engaged in protected activity when he reported
17 instances of racism and discrimination to his supervisors.

18 479. Without justification or basis in fact, Defendant TESLA refused to investigate
19 Plaintiff GONSALVEZ's complaints, continuously made his work environment unbearable
20 and ultimately terminated his employment.

21 480. Plaintiff ALLAH was nearing his 6-month probationary period and Defendant
22 TESLA needed a reason to terminate his employment to avoid having to promote him due to
23 his race. Plaintiff ALLAH's Supervisor, RODNEY DOE, and Lead, JASON DOE, falsely

24 481. engaged in protected activity when he reported instances of racism and
25 discrimination to his supervisors.

26 482. Without justification or basis in fact, Defendant TESLA refused to investigate
27 Plaintiff GONSALVEZ's complaints, continuously made his work environment unbearable
28 and ultimately terminated his employment.

1 483. Defendants’ decision to terminate Plaintiffs’ employment based on
 2 discriminatory motives was contrary to the policies, rules, regulations and laws of the State
 3 of California which are in substantial part designed to protect employees from
 4 discriminatory, harassing, retaliatory and otherwise harmful or unlawful conduct. These
 5 policies are included in the Constitution of the State of California and California Government
 6 Codes.

7 484. Defendants’ violations of these constitutional and statutory provisions caused
 8 Plaintiffs to suffer harm as set forth herein.

9 485. As a result of Defendant TESLA’s conduct as alleged herein, Plaintiffs
 10 necessarily retained attorneys to prosecute the instant action. Plaintiffs are therefore entitled
 11 to reasonable attorney’s fees and litigation costs, including expert witness fees and costs,
 12 incurred in bringing this action.

13 486. Defendants acted maliciously, fraudulently, and oppressively, and/or with the
 14 wrongful intention of injuring Plaintiffs, and/or with the conscious disregard of the rights
 15 and safety of Plaintiffs, and/or with an improper and evil motive amounting to malice.
 16 Plaintiffs are, therefore, entitled to recover punitive damages from Defendants in an amount
 17 to be determined at the time of trial and in accordance with proof.

THIRTEENTH CAUSE OF ACTION
CONSTRUCTIVE TERMINATION

(As to Plaintiffs WILSON and BROWN; Against Defendant TESLA; ANTHONY MOE;
 BEHROZE DOE; VICTOR DOE; NORA DOE; MATT DOE; BILL DOE; TOAN DOE;
 JASMIN DOE; JOSH DOE and Does 51-100)

23 487. Plaintiffs incorporate by reference each and every allegation set forth in
 24 paragraphs 1 through 486 as though fully set forth herein.

25 488. At all times relevant to this action, Plaintiffs were employees or contractors of
 26 Defendant TESLA.

27 489. Plaintiff BROWN engaged in protected activity when she reported instances
 28 of racism and discrimination to her supervisors.

1 490. Without justification or basis in fact, Defendant TESLA threatened to
2 terminate Plaintiff BROWN, called her racial slurs, failed to provide her with legally-
3 mandated breaks, and made her work environment unbearable. Ultimately, Plaintiff
4 BROWN had no choice but to quit.

5 491. Plaintiff WILSON engaged in protected activity when she reported instances
6 of racism, discrimination and sexual harassment to her supervisors.

7 492. Without justification or basis in fact, Defendant TESLA refused to investigate
8 these reports and complaints made by Plaintiff WILSON, refused to address the instances of
9 racism, discrimination and harassment, and continuously made her work environment
10 unbearable. Ultimately, Plaintiff WILSON had no choice but to quit.

11 493. In doing so, Defendant TESLA ratified the discriminatory and harassing
12 behavior of its managers, supervisors, leads and other employees toward Plaintiff WILSON.

13 494. Defendant TESLA constructively terminated Plaintiffs employment by
14 permitting a hostile work environment to ensue and flourish at Defendant TESLA's facilities
15 where Plaintiffs were continuously subjected to harassment and discrimination.

16 495. Plaintiffs complained of the racially-charged discrimination and harassment to
17 Defendant TESLA. Despite these complaints, the discrimination and harassment continued
18 and escalated.

19 496. No reasonable person would have or could have borne the constant harassment,
20 discrimination, or intimidation directed at Plaintiffs.

21 497. Despite complaints, Defendant TESLA refused to intervene to prevent the
22 harassment and discrimination. Consequently, Plaintiffs ** had no choice but to quit.

23 498. Defendants' failure to intervene and stop or prevent the racial harassment and
24 discrimination was contrary to the policies, rules, regulations and laws of the State of
25 California which are in substantial part designed to protect employees from discriminatory,
26 harassing, retaliatory and otherwise harmful or unlawful conduct. These policies are
27 included in the Constitution of the State of California and California Government Codes.

28 499. Defendants' violations of these constitutional and statutory provisions caused

1 Plaintiffs to suffer harm as set forth herein.

2 500. As a result of Defendant TESLA’s conduct as alleged herein, Plaintiffs
 3 necessarily retained attorneys to prosecute the instant action. Plaintiffs are therefore entitled
 4 to reasonable attorney’s fees and litigation costs, including expert witness fees and costs,
 5 incurred in bringing this action.

6 501. Defendants acted maliciously, fraudulently, and oppressively, and/or with the
 7 wrongful intention of injuring Plaintiffs, and/or with the conscious disregard of the rights
 8 and safety of Plaintiffs, and/or with an improper and evil motive amounting to malice.
 9 Plaintiffs are, therefore, entitled to recover punitive damages from Defendants in an amount
 10 to be determined at the time of trial and in accordance with proof.

11
 12 **PRAYER FOR RELIEF**

13 WHEREFORE, Plaintiffs request judgment against Defendants as follows:

- 14 1. General damages according to proof and in an amount no less than the
 15 jurisdictional limit of this court;
- 16 2. Special damages in amounts according to proof, together with prejudgment
 17 interest;
- 18 3. Exemplary and punitive damages in amounts according to proof;
- 19 4. Civil penalties pursuant to *California Civil Code* §§52(a), 52(b)(2), and 52.1,
 20 and *California Labor Code* §1102.5;
- 21 5. Attorneys’ fees and costs pursuant to *California Civil Code* §§52(a), 52(b)(3),
 22 and 52.1(h), and California Government Code §12965(b);
- 23 6. Interest as allowed by law;
- 24 7. Costs of suit incurred herein;
- 25 8. Injunctive relief requiring Defendants to provide better training and
 26 enforcement of prevention of racial harassment, discrimination and retaliation; development
 27 of effective policies and procedures to ensure that effective remedial measures are taken upon
 28 reporting of harassment; and

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9. Such other and further relief that the court deems just and proper.

Dated: June 29, 2022

ARIAS SANGUINETTI WANG & TORRIJOS LLP

By: 

MIKE ARIAS
SAHAR MALEK
BRENDA WONG
Attorneys for Plaintiffs


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DEMAND FOR JURY TRIAL

PLAINTIFFS hereby demand a trial by jury.

Dated: June 29, 2022

ARIAS SANGUINETTI WANG & TORRIJOS LLP

By: 

MIKE ARIAS
SAHAR MALEK
BRENDA WONG
Attorneys for Plaintiffs

EXHIBIT A

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

KEVIN KISH, DIRECTOR

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
(800) 884-1684 (Voice) | (800) 700-2320 (TTY) | California's Relay Service at 711
<http://www.dfeh.ca.gov> | Email: contact.center@dfeh.ca.gov

April 27, 2022

Jasmin Wilson
C/O Arias Sanguintti Wang & Torrijos, LLP - 6701 Center Drive West, #1400
Los Angeles, CA 90045

RE: Notice of Case Closure and Right to Sue
DFEH Matter Number: 202204-16817126
Right to Sue: Wilson / TESLA, INC. doing business in California as TESLA
MOTORS, INC. et al.

Dear Jasmin Wilson:

This letter informs you that the above-referenced complaint filed with the Department of Fair Employment and Housing (DFEH) has been closed effective April 27, 2022 because an immediate Right to Sue notice was requested.

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.

This matter may qualify for DFEH's Small Employer Family Leave Mediation Pilot Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Government Code section 12945.2, has the right to participate in DFEH's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in DFEH's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. Contact DFEH's Small Employer Family Leave Mediation Pilot Program by emailing DRDOnlineRequests@dfeh.ca.gov and include the DFEH matter number indicated on the Right to Sue notice.



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

KEVIN KISH, DIRECTOR

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To obtain a federal Right to Sue notice, you must contact 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

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

KEVIN KISH, DIRECTOR

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
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June 1, 2022

Montieco Justice

C/O Arias Sanguintti Wang & Torrijos, LLP - 6701 Center Drive West, #1400
Los Angeles, CA 90045

RE: Notice of Case Closure and Right to Sue

DFEH Matter Number: 202206-17159101

Right to Sue: Justice / TESLA, INC. doing business in California as TESLA
MOTORS, INC. et al.

Dear Montieco Justice:

This letter informs you that the above-referenced complaint filed with the Department of Fair Employment and Housing (DFEH) has been closed effective June 1, 2022 because an immediate Right to Sue notice was requested.

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.

This matter may qualify for DFEH's Small Employer Family Leave Mediation Pilot Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Government Code section 12945.2, has the right to participate in DFEH's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in DFEH's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. Contact DFEH's Small Employer Family Leave Mediation Pilot Program by emailing DRDOnlineRequests@dfeh.ca.gov and include the DFEH matter number indicated on the Right to Sue notice.



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

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To obtain a federal Right to Sue notice, you must contact 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

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

KEVIN KISH, DIRECTOR

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April 18, 2022

TERI MITCHELL

C/O Arias Sanguintti Wang & Torrijos, LLP - 6701 Center Drive West, #1400
Los Angeles, CA 90045

RE: Notice of Case Closure and Right to Sue

DFEH Matter Number: 202204-16733118

Right to Sue: MITCHELL / TESLA, INC. doing business in California as TESLA
MOTORS, INC. et al.

Dear TERI MITCHELL:

This letter informs you that the above-referenced complaint filed with the Department of Fair Employment and Housing (DFEH) has been closed effective April 18, 2022 because an immediate Right to Sue notice was requested.

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.

This matter may qualify for DFEH's Small Employer Family Leave Mediation Pilot Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Government Code section 12945.2, has the right to participate in DFEH's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in DFEH's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. Contact DFEH's Small Employer Family Leave Mediation Pilot Program by emailing DRDOnlineRequests@dfeh.ca.gov and include the DFEH matter number indicated on the Right to Sue notice.



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

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To obtain a federal Right to Sue notice, you must contact 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



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

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(800) 884-1684 (Voice) | (800) 700-2320 (TTY) | California's Relay Service at 711
<http://www.dfeh.ca.gov> | Email: contact.center@dfeh.ca.gov

April 18, 2022

KEVIN SWANSON

C/O Arias Sanguintti Wang & Torrijos, LLP - 6701 Center Drive West, #1400
Los Angeles, CA 90045

RE: Notice of Case Closure and Right to Sue

DFEH Matter Number: 202204-16731517

Right to Sue: SWANSON / TESLA, INC. doing business in California as TESLA
MOTORS, INC. et al.

Dear KEVIN SWANSON:

This letter informs you that the above-referenced complaint filed with the Department of Fair Employment and Housing (DFEH) has been closed effective April 18, 2022 because an immediate Right to Sue notice was requested.

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.

This matter may qualify for DFEH's Small Employer Family Leave Mediation Pilot Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Government Code section 12945.2, has the right to participate in DFEH's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in DFEH's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. Contact DFEH's Small Employer Family Leave Mediation Pilot Program by emailing DRDOnlineRequests@dfeh.ca.gov and include the DFEH matter number indicated on the Right to Sue notice.



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

KEVIN KISH, DIRECTOR

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
(800) 884-1684 (Voice) | (800) 700-2320 (TTY) | California's Relay Service at 711
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To obtain a federal Right to Sue notice, you must contact 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

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

KEVIN KISH, DIRECTOR

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
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May 3, 2022

Nathaniel Aziel Gonsalves
C/O Arias Sanguintti Wang & Torrijos, LLP - 6701 Center Drive West, #1400
Los Angeles, CA 90045

RE: Notice of Case Closure and Right to Sue
DFEH Matter Number: 202204-16814626
Right to Sue: Gonsalves / TESLA, INC. doing business in California as TESLA
MOTORS, INC. et al.

Dear Nathaniel Aziel Gonsalves:

This letter informs you that the above-referenced complaint filed with the Department of Fair Employment and Housing (DFEH) has been closed effective May 3, 2022 because an immediate Right to Sue notice was requested.

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.

This matter may qualify for DFEH's Small Employer Family Leave Mediation Pilot Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Government Code section 12945.2, has the right to participate in DFEH's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in DFEH's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. Contact DFEH's Small Employer Family Leave Mediation Pilot Program by emailing DRDOnlineRequests@dfeh.ca.gov and include the DFEH matter number indicated on the Right to Sue notice.



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

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Sincerely,

Department of Fair Employment and Housing

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

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April 26, 2022

TRISTIAN IRIZARRY

C/O Arias Sanguintti Wang & Torrijos, LLP - 6701 Center Drive West, #1400
Los Angeles, CA 90045

RE: Notice of Case Closure and Right to Sue

DFEH Matter Number: 202204-16815226

Right to Sue: IRIZARRY / TESLA, INC. doing business in California as TESLA
MOTORS, INC. et al.

Dear TRISTIAN IRIZARRY:

This letter informs you that the above-referenced complaint filed with the Department of Fair Employment and Housing (DFEH) has been closed effective April 26, 2022 because an immediate Right to Sue notice was requested.

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.

This matter may qualify for DFEH's Small Employer Family Leave Mediation Pilot Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Government Code section 12945.2, has the right to participate in DFEH's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in DFEH's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. Contact DFEH's Small Employer Family Leave Mediation Pilot Program by emailing DRDOnlineRequests@dfeh.ca.gov and include the DFEH matter number indicated on the Right to Sue notice.



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

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To obtain a federal Right to Sue notice, you must contact 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

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

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June 1, 2022

Etah Allah

C/O Arias Sanguintti Wang & Torrijos, LLP - 6701 Center Drive West, #1400
Los Angeles, CA 90045

RE: Notice of Case Closure and Right to Sue

DFEH Matter Number: 202206-17160001

Right to Sue: Allah / TESLA, INC. doing business in California as TESLA
MOTORS, INC. et al.

Dear Etah Allah:

This letter informs you that the above-referenced complaint filed with the Department of Fair Employment and Housing (DFEH) has been closed effective June 1, 2022 because an immediate Right to Sue notice was requested.

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.

This matter may qualify for DFEH's Small Employer Family Leave Mediation Pilot Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Government Code section 12945.2, has the right to participate in DFEH's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in DFEH's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. Contact DFEH's Small Employer Family Leave Mediation Pilot Program by emailing DRDOnlineRequests@dfeh.ca.gov and include the DFEH matter number indicated on the Right to Sue notice.



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

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Sincerely,

Department of Fair Employment and Housing

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

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June 1, 2022

Cherrice Houston-Godfrey
C/O Arias Sanguintti Wang & Torrijos, LLP - 6701 Center Drive West, #1400
Fremont, CA 90045

RE: Notice of Case Closure and Right to Sue
DFEH Matter Number: 202206-17161201
Right to Sue: Houston-Godfrey / TESLA, INC. doing business in California as
TESLA MOTORS, INC. et al.

Dear Cherrice Houston-Godfrey:

This letter informs you that the above-referenced complaint filed with the Department of Fair Employment and Housing (DFEH) has been closed effective June 1, 2022 because an immediate Right to Sue notice was requested.

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.

This matter may qualify for DFEH's Small Employer Family Leave Mediation Pilot Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Government Code section 12945.2, has the right to participate in DFEH's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in DFEH's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. Contact DFEH's Small Employer Family Leave Mediation Pilot Program by emailing DRDOnlineRequests@dfeh.ca.gov and include the DFEH matter number indicated on the Right to Sue notice.



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

KEVIN KISH, DIRECTOR

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Sincerely,

Department of Fair Employment and Housing

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

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June 1, 2022

Kabiru Alowonle

C/O Arias Sanguintti Wang & Torrijos, LLP - 6701 Center Drive West, #1400
Los Angeles, CA 90045

RE: Notice of Case Closure and Right to Sue

DFEH Matter Number: 202206-17161601

Right to Sue: Alowonle / TESLA, INC. doing business in California as TESLA
MOTORS, INC. et al.

Dear Kabiru Alowonle:

This letter informs you that the above-referenced complaint filed with the Department of Fair Employment and Housing (DFEH) has been closed effective June 1, 2022 because an immediate Right to Sue notice was requested.

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.

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DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

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Sincerely,

Department of Fair Employment and Housing

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

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April 27, 2022

LARRY MORRIS

C/O Arias Sanguintti Wang & Torrijos, LLP - 6701 Center Drive West, #1400
Los Angeles, CA 90045

RE: Notice of Case Closure and Right to Sue

DFEH Matter Number: 202204-16814526

Right to Sue: MORRIS / TESLA, INC. doing business in California as TESLA
MOTORS, INC. et al.

Dear LARRY MORRIS:

This letter informs you that the above-referenced complaint filed with the Department of Fair Employment and Housing (DFEH) has been closed effective April 27, 2022 because an immediate Right to Sue notice was requested.

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.

This matter may qualify for DFEH's Small Employer Family Leave Mediation Pilot Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Government Code section 12945.2, has the right to participate in DFEH's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in DFEH's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. Contact DFEH's Small Employer Family Leave Mediation Pilot Program by emailing DRDOnlineRequests@dfeh.ca.gov and include the DFEH matter number indicated on the Right to Sue notice.



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

KEVIN KISH, DIRECTOR

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Sincerely,

Department of Fair Employment and Housing

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

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May 3, 2022

Paradice Brooks

C/O Arias Sanguintti Wang & Torrijos, LLP - 6701 Center Drive West, #1400
Los Angeles, CA 90045

RE: Notice of Case Closure and Right to Sue

DFEH Matter Number: 202205-16884303

Right to Sue: Brooks / TESLA, INC. doing business in California as TESLA
MOTORS, INC. et al.

Dear Paradice Brooks:

This letter informs you that the above-referenced complaint filed with the Department of Fair Employment and Housing (DFEH) has been closed effective May 3, 2022 because an immediate Right to Sue notice was requested.

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.

This matter may qualify for DFEH's Small Employer Family Leave Mediation Pilot Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Government Code section 12945.2, has the right to participate in DFEH's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in DFEH's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. Contact DFEH's Small Employer Family Leave Mediation Pilot Program by emailing DRDOnlineRequests@dfeh.ca.gov and include the DFEH matter number indicated on the Right to Sue notice.



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

KEVIN KISH, DIRECTOR

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To obtain a federal Right to Sue notice, you must contact 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

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

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May 6, 2022

Tyron Aghedo
C/O Arias Sanguintti Wang & Torrijos, LLP - 6701 Center Drive West, #1400
Los Angeles, CA 90045

RE: Notice of Case Closure and Right to Sue
DFEH Matter Number: 202205-16898904
Right to Sue: Aghedo / TESLA, INC. doing business in California as TESLA
MOTORS, INC. et al.

Dear Tyron Aghedo:

This letter informs you that the above-referenced complaint filed with the Department of Fair Employment and Housing (DFEH) has been closed effective May 6, 2022 because an immediate Right to Sue notice was requested.

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.

This matter may qualify for DFEH's Small Employer Family Leave Mediation Pilot Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Government Code section 12945.2, has the right to participate in DFEH's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in DFEH's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. Contact DFEH's Small Employer Family Leave Mediation Pilot Program by emailing DRDOnlineRequests@dfeh.ca.gov and include the DFEH matter number indicated on the Right to Sue notice.



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

KEVIN KISH, DIRECTOR

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Sincerely,

Department of Fair Employment and Housing

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

KEVIN KISH, DIRECTOR

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June 1, 2022

Paula Ford

C/O Arias Sanguintti Wang & Torrijos, LLP - 6701 Center Drive West, #1400
Los Angeles, CA 90045

RE: Notice of Case Closure and Right to Sue

DFEH Matter Number: 202206-17161901

Right to Sue: Ford / TESLA, INC. doing business in California as TESLA
MOTORS, INC. et al.

Dear Paula Ford:

This letter informs you that the above-referenced complaint filed with the Department of Fair Employment and Housing (DFEH) has been closed effective June 1, 2022 because an immediate Right to Sue notice was requested.

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.

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DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

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Sincerely,

Department of Fair Employment and Housing

**DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

KEVIN KISH, DIRECTOR

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
(800) 884-1684 (Voice) | (800) 700-2320 (TTY) | California's Relay Service at 711
<http://www.dfeh.ca.gov> | Email: contact.center@dfeh.ca.gov

May 16, 2022

Anthony Hill

C/O Arias Sanguintti Wang & Torrijos, LLP - 6701 Center Drive West, #1400
Los Angeles, CA 90045

RE: Notice of Case Closure and Right to Sue

DFEH Matter Number: 202205-17012916

Right to Sue: Hill / TESLA, INC. doing business in California as TESLA
MOTORS, INC. et al.

Dear Anthony Hill:

This letter informs you that the above-referenced complaint filed with the Department of Fair Employment and Housing (DFEH) has been closed effective May 16, 2022 because an immediate Right to Sue notice was requested.

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.

This matter may qualify for DFEH's Small Employer Family Leave Mediation Pilot Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Government Code section 12945.2, has the right to participate in DFEH's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in DFEH's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. Contact DFEH's Small Employer Family Leave Mediation Pilot Program by emailing DRDOnlineRequests@dfeh.ca.gov and include the DFEH matter number indicated on the Right to Sue notice.



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To obtain a federal Right to Sue notice, you must contact 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

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May 17, 2022

Jada Brown

c/o Arias Sanguinetti Wang & Torrijos, LLP - 6701 Center Drive West, Suite 1400
Los Angeles, CA 90045

RE: Notice of Case Closure and Right to Sue

DFEH Matter Number: 202205-16975411

Right to Sue: Brown / TESLA, INC. doing business in California as TESLA
MOTORS, INC. et al.

Dear Jada Brown:

This letter informs you that the above-referenced complaint filed with the Department of Fair Employment and Housing (DFEH) has been closed effective May 17, 2022 because an immediate Right to Sue notice was requested.

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.

This matter may qualify for DFEH's Small Employer Family Leave Mediation Pilot Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Government Code section 12945.2, has the right to participate in DFEH's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in DFEH's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. Contact DFEH's Small Employer Family Leave Mediation Pilot Program by emailing DRDOnlineRequests@dfeh.ca.gov and include the DFEH matter number indicated on the Right to Sue notice.



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To obtain a federal Right to Sue notice, you must contact 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