

1 Robert W. Ottinger (SBN 156825)
2 THE OTTINGER FIRM, P.C.
3 535 Mission Street
4 San Francisco, CA 94105
5 robert@ottingerlaw.com
6 Tel: 415-262-0096
7 Fax: 212-571-0505

8 *Attorneys for Plaintiff(s)*

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

10 **IN AND FOR THE COUNTY OF SONOMA**

11 CASE NO.: SCV-26312

12 **COMPLAINT FOR:**

13 YULIA ZAMORA,

14 Plaintiff,

15 vs.

16 SOCIAL FINANCE, INC.,

17 Defendant.

- 18 1. SEXUAL HARASSMENT IN VIOLATION OF THE CALIFORNIA FEHA
- 19 2. SEX DISCRIMINATION IN VIOLATION OF THE CALIFORNIA FEHA
- 20 3. FAILURE TO PREVENT HARASSMENT AND DISCRIMINATION FROM OCCURRING IN VIOLATION OF THE CALIFORNIA FEHA
- 21 4. DISCRIMINATION ON THE BASIS OF SEX IN VIOLATION OF THE CALIFORNIA CONSTITUTION
- 22 5. RETALIATION IN VIOLATION OF THE CALIFORNIA FEHA
- 23 6. CONSTRUCTIVE DISCHARGE IN VIOLATION OF PUBLIC POLICY
- 24 7. RETALIATION IN VIOLATION OF CALIFORNIA LABOR CODE
- 25 8. VIOLATION OF THE RALPH CIVIL RIGHTS ACT

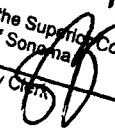
26 **JURY TRIAL DEMANDED**

27 COMPLAINT FILED:

28 Plaintiff complains and alleges as follows:

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FILED
SEP 21 2017
Clerk of the Superior Court of California
County of Sonoma
By: 
Deputy Clerk

BY FAX

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INTRODUCTION

1. Plaintiff Yulia Zamora (“Plaintiff” or “Yulia”) was the repeated victim of sexual harassment while at Social Finance, Inc. (“SoFi”). SoFi created a workplace environment akin to a frat house. SoFi encouraged employees to drink from beer kegs and a margarita cart while at work to foster the rampant sexual activity that coursed through SoFi’s Healdsburg office. Managers relentlessly flirted with subordinates and implacably engaged in intercourse. They did it whenever and wherever they could: in parked cars and in bathroom stalls, breaking toilet seats. Just one example of this debauchery was when a Director at SoFi repeatedly propositioned Yulia for sex; she was far from the first or last employee that had received the same, unwanted sexual requests. This lewd atmosphere was fostered and blatantly encouraged by SoFi’s top management who set the tone for the company from its San Francisco headquarters. For example, SoFi’s CEO, Mike Cagney, dated subordinates at SoFi’s San Francisco office – where his wife also worked – and attended parties with SoFi’s Healdsburg staff while intoxicated.

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PARTIES AND JURISDICTION

2. Plaintiff was an employee of SoFi at its Healdsburg, California office where she was employed from October 2015 until October 2016. Plaintiff currently resides in Sonoma County.

3. Plaintiff is informed and believes, and thereon alleges, that SoFi is a Delaware corporation doing business in Sonoma County, California and at all relevant times had an office in Sonoma County.

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FACTS COMMON TO ALL CAUSES OF ACTION

4. Plaintiff was employed by SoFi as a Reviewer One.

5. Soon after Yulia began working for SoFi, the company began increasing its staff in Healdsburg. With the swell of new employees, the environment became chaotic and that

1 mismanagement allowed for professionalism to become lax and soon, nonexistent. SoFi became
2 a hostile work environment where sexually inappropriate behavior became widely accepted and
3 laudable by upper management. The work environment soon resembled the party atmosphere of
4 a fraternity house.

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6 6. Upper management felt free to indulge in inappropriate behavior. Their attitude
7 trickled through the ranks of the company into Yulia's department. Not only were inappropriate
8 office relationships tolerated, but it became a path to promotion and benefits. Several of Yulia's
9 female colleagues engaged in relationships with superiors, which then led to promotions, raises,
10 and benefits.

11 7. Notably, Adam Cobb ("Cobb"), Director of Operations, offered to promote
12 female employees through "one-on-one mentorships" with himself. He was notorious within
13 SoFi for making sexual comments toward female coworkers and then becoming resentful and
14 retaliatory when they did not return his feelings.

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16 8. Cobb expressed to Yulia and other female coworkers that promotion was only
17 possible through first attending these "one-on-one mentorships" with him. When Yulia confided
18 her interest in becoming a lead (which would include a promotion and pay raise), Cobb offered
19 to mentor her "one-on-one." He presented the mentorship as the only way Yulia could become a
20 lead. She agreed to, what she believed, was a strictly professional relationship.

21 9. At the office Christmas party in December 2015, Michael Cagney, the CEO of
22 SoFi, was drunk on the dancefloor along with Cobb, who approached Yulia when she was alone
23 to flirt with her. Cobb attempted to woo Yulia with the line "The first time I met you, I was
24 intimidated by your beauty." It did not have the effect Cobb wanted. Yulia ended the
25 conversation almost immediately, as she was deeply uncomfortable. She left Cobb's company
26 and avoided him for the remainder of the party.
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1 10. Most everyone in attendance left the office Christmas party to attend the
2 unofficial after party, hosted by Ms. Zulema Garcia (“Garcia”). Those who attended included
3 Cobb; Mr. Bryan Walker (“Walker”), a manager; and many other managers, leads, and
4 reviewers.

5 11. Cobb followed Yulia to Garcia’s house, with the expressed interest of pursuing
6 her, despite her rejection hours earlier.

7 12. At Garcia’s house, Cobb approached Plaintiff, who was sitting alone on a couch.
8 For the second time that night, Cobb propositioned Plaintiff, telling her: “The only reason I came
9 here tonight is because I want to do sexy things with you.” Immediately Plaintiff stood up and
10 walked away from Cobb.
11

12 13. Plaintiff was distressed by Cobb’s uninvited and unwanted sexual advances. She
13 sought support from her coworkers, hoping to have their help in stopping Cobb’s inappropriate
14 behavior.
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16 14. Plaintiff walked straight from Cobb to a table of her coworkers and supervisors.
17 The table included Garcia, Walker, and others, who were all taking shots when Plaintiff
18 approached them.

19 15. Plaintiff voiced her complaint to the table, describing what Cobb had said to her
20 moments ago. Her supervisors laughed, finding the story entertaining rather than upsetting. Her
21 coworkers and supervisors kept her at the table, asking her to recount the story multiple times for
22 their entertainment. Plaintiff reiterated to everyone at the table that she did not welcome nor want
23 Cobb’s sexual attention. This did not cause the group to confront Cobb; rather, they continued
24 laughing and drinking.
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26 16. Following the reactions of her supervisors and coworkers, Plaintiff realized that
27 her superiors at SoFi would not take her complaint seriously or attempt to help her.
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1 17. Cobb was visibly upset by Plaintiff's rejection and left the party early. His
2 coworkers were laughing at him, but no one attempted to reprimand him.

3 18. For weeks following the incident, coworkers would stop Plaintiff at work and ask
4 her to recount the story. Even those who had heard of it at Garcia's party approached Plaintiff
5 again to repeat the story, including Manny Barrera, Operations Manager. A story that should
6 have been anything but was spread as a source of entertainment. No one took any action against
7 Cobb or attempted to prevent the incident from reoccurring.

9 19. Cobb continued to meet with Plaintiff for "one-on-one" meetings. However, all
10 mentorship effectively ended after the incident. Plaintiff was never promoted nor given any
11 benefits after she rejected Cobb. Even though Yulia's performance was excellent, Cobb would
12 not promote her.

13 20. Plaintiff was deeply upset by the situation, and although she wanted SoFi to take
14 action against Cobb, she did not make another complaint because she could tell that at SoFi,
15 sexual harassment by managers was part of the culture. She feared that further complaints would
16 only result in retaliation against her, so she kept quiet and continued to suffer embarrassment
17 and retaliation because of Cobb's actions that night.

19 21. While no one denounced Cobb's actions, SoFi employees began to use the
20 incident as a reoccurring joke. Plaintiff would be in a meeting or working at her desk when a
21 coworker would bring up the incident as a joke for everyone to enjoy. Even coworkers who had
22 never asked Plaintiff for the story heard of it through these regular jokes at her expense. For
23 weeks and months following the incident, Plaintiff was regularly 'ragged on' by her coworkers
24 for rejecting Cobb.

26 22. In October 2016, Yulia resigned from the company. The work-place stress,
27 continual humiliation, and lack of opportunity to receive a promotion or progress in her career
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1 because she was a woman who refused to let her superior “do sexy things to her” forced her to
2 resign. Due to the company’s ‘frat-house’ culture, she could only achieve promotion by engaging
3 in sexual relationships or flirtations with her supervisors. Yulia was unwilling to do so.

4 23. After resigning, Yulia needed a recommendation letter from her time at SoFi and
5 asked Cobb because he had ostensibly been her “mentor” there. When she asked him in person,
6 Cobb initially agreed to write her the letter. However, numerous emails and phone calls later, it
7 became clear Cobb would not. Still bruised from her rejection, Cobb would not give her a
8 recommendation as a last attempt of punishment and retaliation.
9

10 24. Yulia complained of the sexual harassment and discrimination to Barrera, Walker,
11 and others. Throughout the departments of Management, Leads, and Reviewers, Plaintiff’s story
12 had become SoFi lore, yet no action was ever taken.

13 25. Barrera, Walker, and others knew that Yulia had rejected Cobb’s sexual advances
14 and now faced retaliation. Yet at no point did any member of management approach Yulia to ask
15 if she needed any help. Their dismissive attitude reveals how deeply SoFi’s insidious corporate
16 culture pervaded the company. At SoFi, the sexual harassment Yulia experienced was treated
17 flippantly. Only in this kind of environment could an incident like Yulia’s be so well-known and
18 yet never corrected.
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20 26. SoFi was aware of and did not take reasonable steps to prevent Yulia’s sexual
21 harassment and discrimination on the basis of sex as detailed in the preceding paragraphs.
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23 27. Plaintiff has filed charges of discrimination with the State of California
24 Department of Fair Employment and Housing in a timely manner. The agency issued a Notice
25 of Case Closure and Right to Sue, and this lawsuit is brought within a year of the date of the
26 Initial Notice.

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FIRST CAUSE OF ACTION
(Harassment on the Basis of Sex in Violation of the
California Fair Employment and Housing Act.)
[Cal. Gov't Code § 12940(j)]

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4 28. Plaintiff hereby incorporates by reference all preceding paragraphs as if fully set
5 forth herein, and for a cause of action alleges as follows:

6 29. At all times herein mentioned, California's Fair Employment and Housing Act,
7 Cal. Government Code § 12940 *et seq.*, was in full force and effect and fully binding upon SoFi.

8 30. At all times herein mentioned, Plaintiff was a member of a group protected by
9 that statute, in particular § 12940(j), prohibiting sexual harassment and discrimination on the
10 basis of Sex.

11 31. Plaintiff was sexually harassed by Cobb from December 2015 until October 2016.
12 This harassment included propositioning Plaintiff for sex twice at the office Christmas party and
13 after party.

14 32. The foregoing conduct was unconsented to and created an intimidating and hostile
15 work environment. Such conduct constitutes illegal sexual harassment in violation of
16 Government Code § 12940(j) and other provisions of the California Fair Employment and
17 Housing Act.

18 33. SoFi's is strictly and independently liable, because they knew or should have
19 known, through supervisors, of the illegal sexual harassment and discrimination against Plaintiff
20 and failed to take immediate and appropriate corrective action. Such conduct violations
21 Government Code § 12940(j) and (k).

22 34. As a direct, foreseeable and proximate result of SoFi's unlawful actions, Plaintiff
23 has suffered and continues to suffer substantial losses in compensation and other employment
24 benefits and has incurred other economic losses including but not limited to loss of wages and
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1 fringe benefits in an amount in excess of the minimum jurisdiction of the court and according to
2 proof at trial.

3 35. As a direct, foreseeable and proximate result of SoFi's unlawful actions, Plaintiff
4 has suffered and continues to suffer humiliation, emotional distress, and mental and physical
5 pain and anguish, all to Plaintiff's damage in an amount according to proof at the time of trial.
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7 36. SoFi committed the acts herein despicably, maliciously, fraudulently, and
8 oppressively, with the wrongful intention of injuring Plaintiff, from an improper and evil motive
9 amounting to malice, and in conscious disregard of Plaintiff's rights to be free from sexual
10 harassment and discrimination on the basis of Sex. Plaintiff is thus entitled to recover punitive
11 damages from SoFi in an amount according to proof at trial.

12 37. Plaintiff has also incurred and continues to incur attorneys' fees and legal
13 expenses in an amount according to proof at the time of trial.
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15 **SECOND CAUSE OF ACTION**
16 **(Discrimination on the Basis of Sex in Violation of the**
17 **California Fair Employment and Housing Act.)**
18 **[Cal. Gov't Code § 12940 et seq.]**

19 38. Plaintiff hereby incorporates by reference all preceding paragraphs as if fully set
20 forth herein, and for a cause of action alleges as follows:

21 39. At all times herein mentioned, California's Fair Employment and Housing Act,
22 Cal. Government Code § 12940 *et seq.*, was in full force and effect and fully binding upon SoFi.

23 40. Plaintiff was a member of a group protected by that statute, in particular section
24 12940(a), prohibiting discrimination against Plaintiff in the conditions of her employment on the
25 basis of Sex.

26 41. Plaintiff was sexually harassed by Cobb from December 2015 until October 2016.
27 This harassment included propositioning Plaintiff for sex twice at the office Christmas party and
28 after party.

1 42. In December of 2015, Cobb asked Plaintiff to participate in sexual activity with
2 him. Plaintiff rejected Cobb's request, and, because of Plaintiff's rejection, Cobb retaliated
3 against her by ending his attempts to mentor and promote Plaintiff.

4 43. Plaintiff's co-workers who acquiesced in requests to participate in sexual activity
5 were given advantages over Plaintiff.

6 44. As a direct, foreseeable and proximate result of SoFi's unlawful actions, Plaintiff
7 has suffered and continues to suffer substantial losses in compensation and other employment
8 benefits and has incurred other economic losses including but not limited to loss of wages and
9 fringe benefits in an amount in excess of the minimum jurisdiction of the court and according to
10 proof at trial.

11 45. As a direct, foreseeable and proximate result of SoFi's unlawful actions, Plaintiff
12 has suffered and continues to suffer humiliation, emotional distress, and mental and physical
13 pain and anguish, all to Plaintiff's damage in an amount according to proof at the time of trial.

14 46. SoFi committed the acts herein despicably, maliciously, fraudulently, and
15 oppressively, with the wrongful intention of injuring Plaintiff, from an improper and evil motive
16 amounting to malice, and in conscious disregard of Plaintiff's rights to be free from sexual
17 harassment and discrimination on the basis of Sex. Plaintiff is thus entitled to recover punitive
18 damages from SoFi in an amount according to proof at trial.

19 47. Plaintiff has also incurred and continues to incur attorneys' fees and legal
20 expenses in an amount according to proof at the time of trial.

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23 **THIRD CAUSE OF ACTION**
24 **(Failure to Take All Reasonable Steps to Investigate and Prevent**
25 **Sexual Discrimination and Harassment**
26 **from Occurring in Violation of Gov't Code § 12940(k))**

27 48. Plaintiff hereby incorporates by reference all preceding paragraphs as if fully set
28 forth herein, and for a cause of action alleges as follows:

1 49. At all times mentioned herein California's Fair Employment and Housing Act,
2 Cal. Government Code § 12940 *et seq.*, was in full force and effect and fully binding upon SoFi.

3 At all times mentioned here, Plaintiff was a member of a group protected by that statute, in
4 particular § 12940(k).

5 50. SoFi by and through its agents and employees were aware of the sexual
6 harassment and discrimination Plaintiff suffered as an employee at Sofi's Healdsburg office.

7 51. Plaintiff was sexually harassed and discriminated against by Cobb.

8 52. Cobb propositioned Plaintiff for sex twice at the office Christmas party and after
9 party in December of 2015.

10 53. Plaintiff told supervisors immediately after the incident occurred. She recounted
11 the story to Managers, Leads, and other coworkers for weeks after the event occurred. However,
12 no action was ever taken to rectify the situation.

13 54. SoFi by and through its agents and employees failed to take all reasonable steps to
14 investigate and prevent the deplorable conditions of sexual harassment Plaintiff suffered and
15 prevent the discrimination carried out against Plaintiff.

16 55. As a direct, foreseeable and proximate result of SoFi's unlawful actions, Plaintiff
17 has suffered and continues to suffer humiliation, emotional distress, and mental and physical
18 pain and anguish, all to Plaintiff's damage in an amount according to proof at the time of trial.

19 56. SoFi committed the acts herein despicably, maliciously, fraudulently, and
20 oppressively, with the wrongful intention of injuring Plaintiff, from an improper and evil motive
21 amounting to malice, and in conscious disregard of Plaintiff's rights to be free from sexual
22 harassment and discrimination on the basis of Sex. Plaintiff is thus entitled to recover punitive
23 damages from SoFi in an amount according to proof at trial.
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1 57. Plaintiff has also incurred and continues to incur attorneys' fees and legal
2 expenses in an amount according to proof at the time of trial.

3 **FOURTH CAUSE OF ACTION**
4 **(Discrimination on the Basis of Sex in Violation of the**
5 **California Constitution, at. I, §8)**

6 58. Plaintiff hereby incorporates by reference all preceding paragraphs as if fully set
7 forth herein, and for a cause of action alleges as follows:

8 59. At all times herein mentioned, Article I Section 8 of the California Constitution
9 prohibits disqualifying a person from entering or pursuing a business, profession, vocation or
10 employment because of Sex.

11 60. SoFi excluded Plaintiff from business opportunities and denied Plaintiff
12 promotions and increased wages because Plaintiff rejected unwanted requests to participate in
13 sexual activity with her mentor and Director.

14 61. As a direct, foreseeable and proximate result of SoFi's unlawful actions, Plaintiff
15 has suffered and continues to suffer substantial losses in compensation and other employment
16 benefits and has incurred other economic losses including but not limited to loss of wages and
17 bonuses.

18 62. SoFi committed the acts herein despicably, maliciously, fraudulently, and
19 oppressively, with the wrongful intention of injuring Plaintiff, from an improper and evil motive
20 amounting to malice, and in conscious disregard of Plaintiff's rights to be free from
21 discrimination on the basis of sex. Plaintiff is thus entitled to recover punitive damages from
22 SoFi in an amount according to proof.
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24 63. Plaintiff has also incurred and continues to incur attorneys' fees and legal
25 expenses in an amount according to proof at the time of trial
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1 **FIFTH CAUSE OF ACTION**
2 **(Retaliation in Violation of Gov't Code § 12940(h))**

3 64. Plaintiff hereby incorporates by reference all preceding paragraphs as if fully set
4 forth herein, and for a cause of action alleges as follows:

5 65. At all times mentioned herein California's Fair Employment and Housing Act,
6 Cal. Government Code § 12940 *et seq.*, was in full force and effect and fully binding upon SoFi.

7 66. Plaintiff was a member of a group protected by that statute, in particular section
8 12940(h), prohibiting retaliation for opposing practices forbidden Fair Employment and Housing
9 Act, Cal. Government Code § 12940 *et seq.*,

10 67. SoFi, and each of them, were motivated to discriminate against Plaintiff on
11 grounds that violate the Fair Employment and Housing Act, Cal. Government Code § 12940 *et*
12 *seq.* in retaliation for protesting sexual harassment, in violation of Government Code section
13 12940(h).
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15 68. SoFi's actions, including ignoring Plaintiff's complaint regarding her harassment
16 and enabling Cobb to create a hostile work environment, constitute retaliation for opposing
17 practices forbidden under the California Fair Employment and Housing Act in violation of
18 Government Code § 12940(h).
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20 69. As a direct, foreseeable and proximate result of SoFi's unlawful actions, Plaintiff
21 has suffered and continues to suffer substantial losses in compensation and other employment
22 benefits and has incurred other economic losses including but not limited to loss of wages and
23 fringe benefits in an amount in excess of the minimum jurisdiction of the court and according to
24 proof at trial.

25 70. As a direct, foreseeable and proximate result of SoFi's unlawful actions, Plaintiff
26 has suffered and continues to suffer humiliation, emotional distress, and mental and physical
27 pain and anguish, all to Plaintiff's damage in an amount according to proof at the time of trial.
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1 71. SoFi committed the acts herein despicably, maliciously, fraudulently, and
2 oppressively, with the wrongful intention of injuring Plaintiff, from an improper and evil motive
3 amounting to malice, and in conscious disregard of Plaintiff's rights to be free from sexual
4 harassment. Plaintiff is thus entitled to recover punitive damages from SoFi in an amount
5 according to proof at trial.

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7 72. Plaintiff has also incurred and continues to incur attorneys' fees and legal
8 expenses in an amount according to proof at the time of trial.

9 **SIXTH CAUSE OF ACTION**
10 **(Constructive Discharge in Violation of Public Policy)**

11 73. Plaintiff hereby incorporates by reference all preceding paragraphs as if fully set
12 forth herein, and for a cause of action alleges as follows:

13 74. At all times mentioned herein, the public policies of the State of California, as set
14 forth in Section 12940 of the Government Code and California Constitution, were in full force
15 and effect and fully binding upon SoFi.

16 75. By enabling the sexual harassment Plaintiff experienced; ignoring Plaintiff's
17 complaints about the sexual harassment she experienced; failing to act despite frequent, public
18 discussion of the sexual harassment that Plaintiff endured; facilitating the continual
19 embarrassment of Plaintiff endured specifically because she was a victim of sexual harassment;
20 and permitting its Director of Operations, Cobb, to retaliate against Plaintiff by refusing to
21 promote her and withholding a recommendation of any sort from her, SoFi forced Plaintiff to
22 resign for reasons that violate public policy.

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24 76. It is a violation of public policy for SoFi to have retaliated or knowingly permitted
25 retaliation against Plaintiff, an employee of SoFi's, for objecting to sexual harassment.
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1 77. SoFi's actions, including allowing supervisors and coworkers to mock Plaintiff
2 for protesting about sexual harassment, constitute retaliation for opposing practices forbidden
3 under the in Section 12940 of the Government Code and California Constitution.

4 78. SoFi's actions, including failure to promote Plaintiff in retaliation for complaining
5 about sexual harassment, constitute retaliation for opposing practices forbidden under the in
6 Section 12940 of the Government Code and California Constitution.

7 79. SoFi knew, should have known, or could have quite reasonably have been
8 expected to have known through its supervisors of the sexual harassment and retaliation
9 perpetrated against Plaintiff.

10 80. The working conditions endured by Plaintiff were so intolerable that a reasonable
11 person in Plaintiff's position would have had no reasonable alternative to resign: Plaintiff
12 endured sexual harassment; suffered continual, public embarrassment; and was relegated to her
13 starting role at SoFi with no hope of promotion despite excellent performance.

14 81. Plaintiff resigned from her position at SoFi because of the aforementioned
15 intolerable working conditions.

16 82. Plaintiff was harmed in numerous ways by the harassment, discrimination, and
17 retaliation she experienced at the hands of SoFi and its supervising employees. Plaintiff lost all
18 prospect of promotion, suffered sexual harassment, endured emotional harm due to continual
19 embarrassment, and was forced to resign due to the aforementioned intolerable working
20 conditions. Plaintiff's career prospects, income, and mental and emotional wellbeing were all
21 harmed directly by SoFi's actions, or rather, inaction.

22 83. The aforementioned intolerable working conditions were a substantial factor in
23 causing Plaintiff the harm mentioned above.
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1 84. It was not merely a single failure on the part of SoFi that lead to Plaintiff's forced
2 resignation; it was a continuous pattern of mistreatment that Plaintiff endured for some time.

3 85. Plaintiff was forced to resign from SoFi due to the inability to receive a promotion
4 or progress in her career as retaliation for complaining about sexual harassment, which
5 constitutes retaliation for opposing practices forbidden under the in Section 12940 of the
6 Government Code and California Constitution.
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8 86. As a direct, foreseeable and proximate result of SoFi's unlawful actions, Plaintiff
9 has suffered and continues to suffer substantial losses in compensation and other employment
10 benefits and has incurred other economic losses including but not limited to loss of wages and
11 fringe benefits in an amount in excess of the minimum jurisdiction of the court and according to
12 proof at trial.

13 87. As a direct, foreseeable and proximate result of SoFi's unlawful actions, Plaintiff
14 has suffered and continues to suffer humiliation, emotional distress, and mental and physical
15 pain and anguish, all to Plaintiff's damage in an amount according to proof at the time of trial.
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17 88. SoFi committed the acts herein despicably, maliciously, fraudulently, and
18 oppressively, with the wrongful intention of injuring Plaintiff, from an improper and evil motive
19 amounting to malice, and in conscious disregard of Plaintiff's rights to be free from sexual
20 harassment. Plaintiff is thus entitled to recover punitive damages from SoFi in an amount
21 according to proof at trial.

22 89. Plaintiff has also incurred and continues to incur attorneys' fees and legal
23 expenses in an amount according to proof at the time of trial.
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25 **SEVENTH CAUSE OF ACTION**
26 **(Retaliation in Violation of Labor Code § 1102.5(b))**

27 90. Plaintiff hereby incorporates by reference all preceding paragraphs as if fully set
28 forth herein, and for a cause of action alleges as follows:

1 91. At all times mentioned herein the public policies of the State of California, as set
2 forth in Section 1102.5 of the California Labor Code, were in full force and effect and fully
3 binding upon SoFi.

4 92. SoFi's actions, including denying Plaintiff a recommendation because Plaintiff
5 protested the sexual harassment she experienced, constitutes retaliation for opposing practices
6 forbidden under the in Section 1102.5 of the California Labor Code.

7 93. As a direct, foreseeable and proximate result of SoFi's unlawful actions, Plaintiff
8 has suffered and continues to suffer substantial losses in compensation and other employment
9 benefits and has incurred other economic losses including but not limited to loss of wages and
10 fringe benefits in an amount in excess of the minimum jurisdiction of the court and according to
11 proof at trial.

12 94. As a direct, foreseeable and proximate result of SoFi's unlawful actions, Plaintiff
13 has suffered and continues to suffer humiliation, emotional distress, and mental and physical
14 pain and anguish, all to Plaintiff's damage in an amount according to proof at the time of trial.

15 95. SoFi committed the acts herein despicably, maliciously, fraudulently, and
16 oppressively; with the wrongful intention of injuring Plaintiff, from an improper and evil motive
17 amounting to malice; and in conscious disregard of Plaintiff's rights to be free from sexual
18 harassment. Plaintiff is thus entitled to recover punitive damages from SoFi in an amount
19 according to proof at trial.

20 96. Plaintiff has also incurred and continues to incur attorneys' fees and legal
21 expenses in an amount according to proof at the time of trial.

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23 **EIGHTH CAUSE OF ACTION**
24 **(Violation of the Ralph Civil Rights Act, Civil Code § 51.9)**

25 97. Plaintiff hereby incorporates by reference all preceding paragraphs as if fully set
26 forth herein, and for a cause of action alleges as follows:
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1 98. At all times mentioned herein the civil code of the State of California, as set forth
2 in Section 51.9 of the California Civil Code, were in full force and effect and fully binding upon
3 SoFi.

4 99. SoFi's actions, including Plaintiff being sexually harassed by Cobb and unable to
5 easily terminate the relationship due to their professional relationship and threat of retaliation,
6 constitutes retaliation for opposing practices forbidden under the in Section 51.9 of the California
7 Civil Code.

8 100. As a direct, foreseeable and proximate result of SoFi's unlawful actions, Plaintiff
9 has suffered and continues to suffer substantial losses in compensation and other employment
10 benefits and has incurred other economic losses including but not limited to loss of wages and
11 fringe benefits in an amount in excess of the minimum jurisdiction of the court and according to
12 proof at trial.

13 101. As a direct, foreseeable and proximate result of SoFi's unlawful actions, Plaintiff
14 has suffered and continues to suffer humiliation, emotional distress, and mental and physical
15 pain and anguish, all to Plaintiff's damage in an amount according to proof at the time of trial.

16 102. SoFi committed the acts herein despicably, maliciously, fraudulently, and
17 oppressively; with the wrongful intention of injuring Plaintiff, from an improper and evil motive
18 amounting to malice; and in conscious disregard of Plaintiff's rights to be free from sexual
19 harassment. Plaintiff is thus entitled to recover punitive damages from SoFi in an amount
20 according to proof at trial.

21 103. Plaintiff has also incurred and continues to incur attorneys' fees and legal
22 expenses in an amount according to proof at the time of trial.

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PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendant as follows:

- A. For compensatory economic damages, including but not limited to lost back pay (including but not limited to, salary and bonus wages), with legal interest, according to proof as allowed by law;
- B. For punitive damages allowed by law;
- C. For an award of Plaintiff's costs of suit incurred herein, including reasonable attorneys' fees;
- D. For an award of prejudgment and post-judgment interest; and
- E. For an award to Plaintiff of such other and further relief as the Court deems just and proper.

Dated: September 21, 2017


Robert W. Ottinger (SBN 156825)
THE OTTINGER FIRM, P.C.
535 Mission Street
San Francisco, CA 94105
robert@ottingerlaw.com
Tel: 415-262-0096
Fax: 212-571-0505

Attorneys for Plaintiff