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SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES

APR 18 2012

John A. Clarke, Executive Officer/Clerk
BY Rafaela Juliano, Deputy

15 SUPERIOR COURT OF THE STATE OF CALIFORNIA

16 FOR THE COUNTY OF LOS ANGELES **BS 482993**

17 ANNE ROESER, an individual

18 Plaintiff,

19 vs.

20 COMPUTER SCIENCES CORPORATION,
21 INC. ("CSC"), CSC CONSULTING, INC.,
22 RAKESH NANGIA, RAMAN
23 ARAVINDAN; and DOES 1 through 50,
24 inclusive,

25 Defendants.

Case No.

COMPLAINT FOR DAMAGES

1. Gender Discrimination and Harassment [Gov. Code §12940]
2. Retaliation [Gov. Code §12940(h)]
3. Failure to Remedy and Prevent, Discrimination [Gov. Code §12940(k)]
4. Wrongful Demotion/Termination in Violation of Public Policy
5. Violation of California Equal Pay Act [Labor Code § 1197.5]
6. Negligent Supervision, Training and Retention
7. Failure to Pay All Wages Due
8. Waiting Time Wage Continuation
9. Intentional Infliction of Emotional Distress
10. Negligent Infliction of Emotional Distress
11. Breach of Contract

COMPLAINT FOR DAMAGES

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JURY TRIAL DEMANDED

Plaintiff Anne Roeser ("Plaintiff" or "Ms. Roeser") for her Complaint against Defendants Computer Sciences Corporation, Inc. and CSC Consulting, Inc. (hereinafter collectively referred to as "CSC" or the "Company"), Rakesh Nangia, Raman Aravindan, and DOES 1 through 40 (collectively "Defendants") alleges, on information and belief, the following:

INTRODUCTION

1. This "pattern and practice" gender discrimination/harassment lawsuit is being brought against a multi billion dollar company – defendant CSC – which has a corporate culture in which women are viewed as second class citizens. Accordingly, CSC routinely paid women less than men, denied women higher-paying and more prestigious positions and otherwise subjected women to disadvantageous terms and conditions of employment, undermined and isolated them, and demeaned and harassed them on account of their gender. In conformity with CSC's pattern and practice of gender discrimination and harassment, which is condoned by CSC management, the Company routinely retaliates against women who are brave enough to complain – CSC demotes or removes these women from their positions, withholds their pay, and/or fires them. Indeed, instead of conducting a proper investigation and taking effective remedial action when its female employees complain of gender discrimination/harassment, the Company consistently supports the male employees and retaliates against the female employees.

2. The plaintiff in this case, Anne Roeser, was an executive at CSC who experienced the same type gender discrimination and harassment that many other female CSC employees had experienced and complained about. Ms. Roeser, an eleven year (11) employee with the Company, began to experience the brunt of the gender discrimination and harassment when she

1 was promoted into a high-ranking position that various Indian male executives at CSC believed
2 should be held by a man. In Ms. Roeser's case, the Company's highest-level officials knew
3 about and condoned a workplace that was infused with pervasive gender discrimination,
4 harassment, and bias by some of its Indian male executives (including Defendants Aravindan
5 and Nangia and Mr. Vivek Chopra, Mr. Ravi Rangarajan, Mr. Prashant Jain, and Mr. Ravi
6 Rangarajan) working in the Company's Global Applications Division (otherwise known as the
7 "ATS" Division) who did not want to work with women and who openly stated that women
8 should stay at home, take care of their husbands and raise their children. These Indian male
9 executives were openly hostile to women, they made sexist and derogatory remarks about
10 women (calling them "girl," "blonde," and "white woman"), they demeaned the jobs held by
11 women (saying, for example, that one high-level female executive's job was merely to take
12 clients out to lunch and go shopping with them), they refused to communicate with women
13 about substantive work-related issues, they tried to isolate and undermine women in order to
14 force their resignations/demotions/firing, and they behaved toward women in an aggressive,
15 condescending and intimidating manner.

16 3. As they did with other women, these Indian male executives harassed Ms. Roeser by
17 being hostile, rude and dismissive to her; demeaning her; undermining her and otherwise
18 unwilling help her with projects; failing to communicate with her; falsely criticizing her
19 performance; spreading false information about her; and doing everything they could to force
20 her to resign and/or get her demoted or fired so that they could replace her with a man. Then,
21 like other female CSC employees, when Ms. Roeser complained about the gender
22 discrimination and harassment and the illegal conduct in which these executives were engaged
23 (such as certain HIPAA violations mentioned below), she was demoted, denied earned wages,
24 otherwise retaliated against, and told to stop complaining. When she continued to complain, she
25 was fired.

26 4. The discriminatory treatment that Ms. Roeser experienced at CSC was consistent with
27 CSC's pattern and practice of gender discrimination and retaliation. For example, when one
28 female executive, Annisa Mayer, stood up and complained about sex discrimination and

1 harassment, CSC retaliated against her by, among other things, refusing to pay her earned
2 wages, squeezing her out of her client relationships, and then firing her. Then, when Ms. Mayer
3 sued CSC, the Company wasted millions of shareholder dollars mounting a meritless defense to
4 her claims only to suffer a humiliating defeat at trial and have a \$4.2 million verdict entered
5 against it. See Annisa Mayer v. Computer Sciences Corporation, San Francisco Superior Court
6 Case No.: CGC 03422578. Additionally, when some of the Company's male employees were
7 responsible for its off-shore Indian employees engaging in over 6,000 instances of illegally
8 accessing the private health and financial information of the patients of one of the Company's
9 largest clients (Kaiser Permanente) in violation of HIPAA, the California Confidentiality of
10 Medical Information Act, and the privacy rights of these patients, the Company retaliated
11 against Ms. Roeser when she complained about these violations. CSC practices a "double
12 standard" in the manner in which it treats women and men employees and has constructed a
13 "glass ceiling" which limits the ability of women employees to prosper at the Company. Not
14 surprisingly, there are no women executives at the highest levels of CSC management.

15 16 JURISDICTION AND VENUE

17 5. The Court has personal jurisdiction over the Defendants because they are residents of
18 and/or doing business in the State of California.

19 6. Venue is proper in this County in accordance with Section 395(a) and Section 395.5
20 of the California Code of Civil Procedure because the contract between Defendants and Plaintiff
21 was made in this County and because the liability and obligation arose in this County. Venue is
22 further appropriate in this County in accordance with Section 12965(b) of the California
23 Government Code because the unlawful practices alleged by Ms. Roeser in violation of the
24 California Fair Employment and Housing Act [Cal. Gov't Code §§ 12940, et seq.] were
25 committed in this County.

26 ///

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28 ///

1 **PARTIES**

2 7. Ms. Roeser is, and at all relevant times was, a resident of Los Angeles County. For
3 the past twenty-five (25) years, Ms. Roeser has worked as an executive in the consulting and
4 healthcare fields. During her years of employment, Ms. Roeser became recognized for her
5 ability to structure strong customer relationships, for establishing credibility and rapport with
6 clients, and for fostering strong bonds with members of her team. For the last eleven (11) years,
7 Ms. Roeser worked for CSC where she consistently received promotions, accolades, and
8 positive performance reviews from both CSC and its clients and partners.

9 8. During her employment with Defendants, Ms. Roeser was subjected to severe
10 harassment, discrimination, retaliation and wrongful termination based on her gender and
11 complaints to her supervisors regarding such discrimination and harassment and unpaid wages,
12 as well her complaints of illegal and unethical conduct by CSC.

13 9. CSC and DOES 1 through 25 (the "Corporate Defendants"), and each of them, are,
14 and at all relevant times mentioned herein were, corporations or other business entities with
15 locations in the State of California. CSC is a global information technology ("IT") and business
16 services company. CSC provides government and commercial clients with IT and business
17 process outsourcing systems, and software development and integration, management
18 consulting, technology consulting, and other related professional services. Plaintiff is informed
19 and believes that each Corporate Defendant constitutes an "employer" within the meaning of
20 California Government Code §§ 12926(d) and 12940(j)(4)(A).

21 10. At all relevant times mentioned herein, individual Defendants Rakesh Nangia,
22 Raman Aravindan, and DOES 26 - 50 were managing agents of the Corporate Defendants.

23 11. Defendant Rakesh Nangia was, at all relevant times, Vice President of CSC's Global
24 Applications Division (otherwise known as the "ATS" Division) within the Healthcare Group in
25 which Plaintiff worked. At all relevant times, Defendant Nangia worked out of a CSC location
26 in New Jersey.

27 12. Defendant Raman Aravindan was, at all relevant times, a CSC Account Executive in
28 the ATS Division. At all relevant times, Defendant Aravindan worked out of a CSC location in

1 San Jose, California. Like Ms. Roeser, Mr. Aravindan is a citizen of the State of California.

2 13. The true names and capacities of Defendants named herein as DOES 1 through 50,
3 inclusive, whether individual, corporate, associate, agent or otherwise, are unknown to Plaintiff
4 who therefore sues such defendants by such fictitious names pursuant to California Code of
5 Civil Procedure § 474. Ms. Roeser will amend this Complaint to show true names and
6 capacities when they have been determined. Ms. Roeser is informed and believes, and on the
7 basis of such information and belief allege, that each defendant DOE herein is in some manner
8 responsible for the discrimination, harassment, and damages herein alleged.

9 14. At all times mentioned herein, Defendants, and each of them, were the agents,
10 representatives, employees, successors, assigns, parents, subsidiaries and/or affiliates, each of
11 the other, and at all times pertinent hereto were acting within the course and scope of their
12 authority as such agents, representatives, employees, successors, assigns, parents, subsidiaries
13 and/or affiliates.

14 15. Ms. Roeser is informed and believes, and based upon that information and belief
15 alleges, that each Defendant named in this Complaint, including DOES 1 through 50, inclusive,
16 knowingly and willfully acted in concert, conspired and agreed together among themselves and
17 entered into a combination and systemized campaign of activity to, *inter alia*, damage Ms.
18 Roeser and to otherwise consciously and/or recklessly act in derogation of Ms. Roeser's rights,
19 and the trust reposed by Ms. Roeser in each of said Defendants, said acts being negligently
20 and/or intentionally inflicted.

21 16. Said conspiracy, and Defendants' concerted actions, were such that, to the
22 information and belief of Plaintiff, and to all appearances, Defendants and each of them,
23 represented a unified body so that the actions of one Defendant were accomplished in concert
24 with, and with knowledge, ratification, authorization and approval of each of the other
25 Defendants.

26 17. Ms. Roeser informed and believes, and thereon alleges, that defendant CSC
27 Consulting, Inc. is either a wholly owned subsidiary or division of defendant Computer
28 Sciences Corporation and that defendants CSC Consulting, Inc. and Computer Sciences

1 Corporation have common management, centralized control of labor relations, common
2 ownership and financial control, overlapping employees and interrelated operations such that
3 these entities operated as a single, integrated enterprise with regard to the employment of Ms.
4 Roeser. Ms. Roeser is informed and believes and thereon alleges that defendants CSC
5 Consulting, Inc. and Computer Sciences Corporation were her joint or dual employers.

6 18. At all times set forth herein, the acts and omissions of each Defendant caused, led
7 and/or contributed to the various acts and omissions of each and all of the other Defendants,
8 legally causing the injuries as set forth.

9
10 **FACTS COMMON TO ALL CAUSES OF ACTION**

11 **CSC's pattern and practice of gender discrimination**

12 19. Defendant CSC describes itself as one of the world's largest and most respected
13 providers of information technology services and applications. Clients of CSC include major
14 technology and healthcare service providers such as Kaiser Permanente Health Care, New York
15 State Medicaid, HealthNet, Sutter Health, and Henry Ford Health Services, as well as
16 governmental agencies such as the United States Equal Employment Opportunity Commission.

17 20. Defendant CSC, at its highest-levels, is aware, and has been aware for many years,
18 that some of its male executives view women as second class citizens and, consequently, engage
19 in gender discrimination and harassment including, among other things: sexually harassing
20 women, demeaning and harassing women based on their gender, routinely paying women less
21 than men, routinely denying promotions and higher-paying and more prestigious positions to
22 women. Defendant CSC knows about and condones this widespread gender discrimination and
23 harassment is and CSC routinely retaliates against the women who dare to complain.

24 21. CSC's Human Resources Department and the Company's purported anti-
25 discrimination/harassment policies are ineffective. CSC does not properly train its employees
26 about discrimination/harassment/retaliation and does not properly investigate claims of
27 discrimination or harassment. CSC consistently fails to remedy or prevent harassment and
28 discrimination.

1 22. CSC also actively protects its male executives even when they are responsible for
2 egregious sexual harassment and/or other serious ethical/legal violations whereas the Company
3 fires and otherwise disciplines women for engaging in much less serious conduct.
4

5 **Anne Roeser's tenure at CSC**

6 23. Ms. Roeser began working for CSC in 2000 as CSC's Western Region Practice
7 Manager for the Health Care Consulting Practice. In 2002, Ms. Roeser became CSC's Account
8 Executive for Children's Hospital Los Angeles.

9 24. In 2005, Ms. Roeser was promoted to Partner Level II. In 2006, Ms. Roeser was
10 promoted to Regional Practice Director for CSC's Payor Provider Practice. As Regional
11 Practice Director, Ms. Roeser managed CSC's Consulting Sales and Service Delivery for CSC's
12 strategic clients, including Kaiser Permanente ("Kaiser"), State of California Office of HIPPA
13 Compliance, and the State of Arizona- Medicaid Program.

14 25. In 2009, Ms. Roeser was promoted to Client Relationship Executive ("CRE") for
15 Kaiser, in CSC's Health Care Group. Unlike the Regional Practice Director position, as CRE,
16 Ms. Roeser was now eligible for significant incentive payments based on her individual sales of
17 CSC services to Kaiser.

18 26. As a CRE, Ms. Roeser served as the primary point of contact for CSC's customers
19 (including Kaiser), and, according to CSC, was responsible for "helping to set the vision and
20 direction for growth on [CSC] client engagements as well as to represent the best in CSC."
21 Specifically, Ms. Roeser was responsible for a 700 member team, which provided consulting
22 services, software applications management, and technology services to Kaiser. Ms. Roeser was
23 also responsible for developing and executing strategies which would lead to new business for
24 CSC. To generate this business, Ms. Roeser was to identify and pursue relationships with
25 executives at Kaiser. According to CSC's own material, the "CRE is the ultimate CSC owner of
26 the relationship with the customer." As CRE, Ms. Roeser earned an annual base salary of
27 \$295,000 plus \$147,500 in annual commissions and substantial quarterly incentive payments
28 based on her annual sales of CSC services to Kaiser.

1 **Anne Roeser is subjected to gender discrimination and harassment at CSC**

2 27. The Applications Technology Services ("ATS") division of CSC (now known as the
3 Global Applications division) was responsible for providing the resources and services
4 necessary to maintain the information technology software applications used by CSC's clients,
5 such as Kaiser. To implement the day-to-day management and delivery of these applications to
6 clients, CSC employed Account Executives within the ATS division. Many of these Account
7 Executives worked in India, although some of them operated at CSC locations within the United
8 States. These Account Executives were to work with the CRE assigned to the client, to enhance
9 the customer relationship, and, in CSC's words, to "represent each other and all other CSC
10 organizational providers as one CSC team." The ATS division and many of its male Indian
11 employees used to be part of a company called Covansys, which was acquired by CSC in 2007.
12 CSC executives were aware of the fact that many of these former Covansys employees had
13 biased views towards women in the workplace and discriminated against women, yet the
14 Company condoned this discrimination and failed to take adequate steps to address this serious
15 problem.

16 28. Unfortunately for Ms. Roeser, many of the Indian male employees working in the
17 ATS division (including Defendants Aravindan and Nangia and Mr. Vivek Chopra, Mr. Ravi
18 Rangarajan, Mr. Prashant Jain, and Mr. Ravi Rangarajan) harbored a discriminatory bias against
19 women. Among other things, these Indian male executives engaged in a campaign of
20 discrimination and harassment against Ms. Roeser and other women by, among other things:

- 21 a. They made prejudiced and discriminatory remarks about women saying, for
22 example, that:
- 23 i. women should stay at home, take care of their husbands, and raise their
24 children; and
- 25 ii. they would never work for a female.
- 26 b. They made employment decisions based on their prejudiced and discriminatory
27 view that women should stay at home and not work including not giving
28 advantageous positions to women but instead to men and forcing women out of

1 advantageous positions so that the positions could be filled with men (for
2 example, they replaced a female employee named Sridevi Vijayaraghavan, with a
3 male employee so as to "future proof" the ATS team, since the male Indian
4 executives did not believe that Ms. Vijayaraghavan would have much longevity
5 at the Company because she was newly married);

- 6 c. They were openly hostile to Ms. Roeser and other women;
- 7 d. They were rude and dismissive to Ms. Roeser and other women;
- 8 e. They made sexist and derogatory remarks about Ms. Roeser and other women
9 (referring to women as "girl," "blonde," and "white woman");
- 10 f. They demeaned the jobs performed by women (saying, for example, that Ms.
11 Roeser's job was merely to take clients out to lunch and go shopping with them);
- 12 g. They refused to communicate with Ms. Roeser and other women about
13 substantive work-related issues - they explained their refusal to communicate
14 with women by saying that in India, men don't talk to "girls," and that "girls"
15 remain in groups separate from men;
- 16 h. They were unwilling to help Ms. Roeser and other women with projects on
17 which they worked;
- 18 i. They informed Ms. Roeser that they would only respond to work-related issues
19 she was working on for the Company's client, Kaiser, if the issues were
20 independently validated by a male ATS employee working on the Kaiser
21 account;
- 22 j. They refused to provide client updates and other necessary information to Ms.
23 Roeser and other women thereby seriously hindering their ability to perform their
24 jobs;
- 25 k. They ordered their subordinates not to communicate with Ms. Roeser and other
26 women thereby, again, seriously hindering their ability to perform their jobs;
- 27 l. They spread false information about the job performance of Ms. Roeser and other
28 women;

- 1 m. They tried to isolate and undermine Ms. Roeser and other women; and
- 2 n. When they did speak to Ms. Roeser and other women, they did so in an
- 3 aggressive, condescending and intimidating manner.
- 4 o. They did not treat men in the same manner (described above) as they treated
- 5 women, including paying women less compensation than their male counterparts.
- 6 p. A reasonable person of Ms. Roeser's gender (*i.e.*, a woman) would have found
- 7 that the foregoing conduct created a work environment that was hostile or
- 8 abusive.

9 29. CSC women and others repeatedly complained to the highest-level officials
10 at Defendant CSC about the gender discrimination and harassment perpetrated by some of the
11 Company's male employees. Indeed, Ms. Roeser and other women specifically repeatedly
12 complained to the Company's highest-level officials about the gender discrimination and
13 harassment. Among other things, Ms. Roeser made repeated complaints about gender
14 discrimination and harassment to:

- 15 a. Mr. Deward Watts, then President of the CSC Healthcare Group. In response to
- 16 one of her gender discrimination/harassment complaints to him, Mr. Watts
- 17 ***admitted*** that CSC management "recognized" that there were issues with
- 18 Defendant Nangia and the Indian male ATS team members assigned to Kaiser.
- 19 b. Mr. Vivek Chopra, President of CSC's ATS division.
- 20 c. Mr. David Hampshire, Ms. Roeser's direct supervisor and one of CSC's senior
- 21 leaders. In response to one of her many gender discrimination/harassment
- 22 complaints to him, Mr. Hampshire ***admitted*** that CSC was already aware that the
- 23 ATS leadership team, which included Mr. Chopra and Defendants Aravindan and
- 24 Nangia, did not see women as independent, did not trust women, and treated
- 25 them in a condescending manner.
- 26 d. Mark Roman, President of CSC's Health Care Group.
- 27 e. Multiple individuals in CSC's Human Resources Department including:
- 28 i. John Nixon.

1 ii. Julie Frank.

2 iii. Debi Stafford, the Vice President of CSC's Human Resources
3 Department.

4 30. Indeed, in an April 23, 2010 letter to Ms. Stafford, CSC's Vice-President of Human
5 Resources, Ms. Roeser specifically complained that Defendant Nangia and his colleagues within
6 ATS had "embarked on an aggressive campaign of harassment." Ms. Roeser described, in great
7 detail, the events of the preceding nine months, and indicated that she felt that it was "their goal
8 to make [her] job environment so hostile that [she would] have no choice but to resign" because
9 they did not want to work with a woman. Ms. Roeser concluded the letter by stating, "It is my
10 sincere desire to amicably work through these issues. All I am asking is that harassment stop
11 and that I be allowed to perform my job duties. I do not want to be terminated, or have my
12 duties or compensation adversely impacted based on my gender." After the passage of nearly
13 six months from the time Ms. Roeser this formal written complaint to Ms. Stafford without a
14 substantive response from Ms. Stafford, Ms. Roeser sent an e-mail to Ms. Stafford asking for a
15 status update:

16 Is CSC ever going to address the hostile and discriminatory environment our
17 Female employees are experiencing at Kaiser? As you know I have strong
18 personal relationships with the Kaiser leadership team, and although I'm gone,
19 I've been told the issues I experienced remain. Aravindan is back, and still on the
20 account. Kaiser and CSC women still aren't referred to by name and instead are
21 still referred to as "that blonde" or as that "White Woman."

22 Deb, when I raised my issues, 6 months, filed a complaint, and began
23 documenting my experiences, my primary catalyst was to make the environment
24 better for women in CSC. Stepping forward created a giant deal of personal and
25 professional chaos for me, and resulted in my leaving the Kaiser account.

26 Although I've moved onto a new role, the broader issue remains and are affecting
27 other women. Can you please let me know CSC's plans for correcting this bad
28 situation.

1 Subsequently, Ms. Stafford *admitted* to Ms. Roeser that her complaints of gender
2 discrimination/harassment were valid as she (Ms. Stafford) had determined that there were
3 "significant issues" with how women were treated by the male CSC employees assigned to the
4 Kaiser account, and that CSC would be addressing the discrimination.

5 31. Notwithstanding the admissions by Mr. Watts, Mr. Hampshire and Ms. Stafford that
6 the Indian male ATS executives treated women inappropriately, CSC failed to address the
7 gender discrimination and harassment and it continued unabated.

8 32. As indicated above, Ms. Roeser was not the only woman who suffered from and
9 complained about the gender discrimination and harassment at the hands of the ATS Indian
10 male executives. For example, a Regional Director for Kaiser, Laurie Gorgilia, told Ms. Roeser
11 that several female CSC employees were having gender-based problems caused by Defendant
12 Aravindan. Ms. Gorgilia asked Ms. Roeser to meet with these employees; they complained that
13 Defendant Aravindan had treated them with the same type of gender-based hostility as he had
14 treated her. Specifically, these employees told Ms. Roeser that Defendant Aravindan
15 communicated with them by yelling and he threatened that if they complained to CSC
16 management, he would make sure their visas were revoked, their careers ruined, and have them
17 deported. Defendant Aravindan and the other Indian male ATS executives did not treat
18 similarly-situated male employees in a similarly hostile manner.

19 33. Ms. Roeser and other female CSC employees were not the only ones to complain to
20 CSC management about the gender discrimination and harassment. Indeed, the gender
21 discrimination and harassment became so severe and obvious that the Company's client, Kaiser,
22 even took notice. In addition to Ms. Gorgilia, Ms. Madhu Narasimham, a Vice President at
23 Kaiser, informed Ms. Roeser that Kaiser employees were upset that CSC employees and ATS
24 account executives showed a lack of respect for Ms. Roeser and undermined her position within
25 CSC *because* she was a woman. Specifically, Ms. Narasimham informed Ms. Roeser that male
26 CSC executives within the ATS division dismissively referred to Ms. Roeser as "the blonde"
27 and made other disparaging comments. Ms. Roeser reported this (both orally and in writing) to
28 CSC Human Resources, and asked CSC Human Resources to follow up with Ms. Narasimham.

1 In her written summary of this complaint to the Company, Ms. Roeser wrote, in part:

2 As we discussed today, Madhu Narasimhan a Kaiser VP told me that
3 her management team is upset that Prashant, Aravindan and Rajaguru
4 have openly displayed that they are unwilling to accept direction from
5 me as a woman in a leadership role. Madhu has observed Prashant and
6 Aravindan's reactions in meetings and casual conversation and is
7 dismayed that they dismiss me as a "blonde" female who doesn't
8 belong in a senior leadership position. Madhu is an Indian female who
9 has experienced these behaviors in the past. Lisa the Care Delivery
10 SVP is also a blonde, as are many of the women in Care Delivery
11 leadership. Diversity and respect in the workplace are key to Kaiser's
12 culture. I find it troubling that our GDS team has visibly displayed this
13 lack of respect for women as professionals in the work place.

14 Subsequently, Ms. Narasimham met with Mr. Roman and an internal audit team at CSC and
15 reported this gender discrimination/harassment first-hand.

16 34. In response to the complaints of gender discrimination and harassment by Ms.
17 Roeser, other women, and Kaiser, Defendant CSC took no effective action and failed to remedy,
18 prevent, and/or conduct an investigation.

19
20 **Ms. Roeser complains about and reports illegal and unethical conduct at CSC**

21 35. In addition to her complaints of gender discrimination and harassment, Ms. Roeser
22 also complained to CSC management about CSC's illegal conduct and potential exposure to
23 liability, including violations of the Sarbanes-Oxley Act, HIPAA, and California's
24 Confidentiality of Medical Information Act. Among other unlawful conduct, Ms. Roeser
25 reported the following:

- 26 a. Ms. Roeser reported to CSC management that Defendant Aravindan was
27 committing serious ethical violations by personally benefitting from work sold by
28 CSC to Kaiser. Defendant Aravindan was giving staffing requests from Kaiser to

1 CSC, to his wife, who would in turn recruit candidates for CSC to provide to
2 Kaiser. CSC would pay Aravindan's wife a fee for this subcontracted labor, and
3 then provide this labor to Kaiser at a substantial markup. This was a conflict of
4 interest since Aravindan, who was being paid to sell CSC services to Kaiser, had
5 the ability to control which firms received staffing requests, and personally
6 benefitted by passing these staffing requests to his wife. This conduct also likely
7 violated various SEC rules/regulations as well as Sarbanes-Oxley.

8 b. Ms. Roeser learned that a contract CSC had executed with Kaiser – wherein CSC
9 would identify insurance claims it thought to be fraudulent, and Kaiser would
10 compensate CSC up to 25% of money recovered on those claims -- was at-risk.
11 Although the project posted a loss of \$130,000 in February 2009, CSC continued
12 to recognize, forecast and report false or erroneous revenues to CSC
13 shareholders. Ms. Roeser reasonably believed that such false reporting violated
14 the law. Specifically, in March 2009, CSC wrongfully reported \$1.2 million in
15 2009 fiscal year revenues from this project, even though the CSC program
16 manager had raised concerns about the project, and Kaiser had not yet validated
17 or approved any of the fraudulent claims CSC had identified, or recovered any
18 money on those claims. Ms. Roeser immediately reported this issue to her
19 supervisors, including Mr. Watts, and Mr. Hampshire. No solution was provided,
20 and CSC failed to modify forecasts to shareholders in that fiscal year.
21 Subsequently, in August 2010, an internal CSC audit team confirmed that CSC
22 had inadequate financial controls, found that CSC's account reporting metrics
23 were "immature," CSC's revenue was "at risk," and CSC did not have "a valid
24 financial forecast for the remainder of Fiscal Year 2011."

25 c. Ms. Roeser met with Diane Vallarnia and Cynthia McFarland, two Kaiser
26 executives. They informed Ms. Roeser that Kaiser's largest question about CSC
27 related to, in their words, "CSC's integrity." They raised a series of questions
28 including: 1) Why was CSC submitting resumes from offshore contractors that

1 were identical to other resumes that had been submitted, and where the only
2 change was the candidate's name? 2) Why wasn't CSC providing training and
3 certification for its staff? 3) Why was CSC's staff turnover rate so high? 4) Why
4 were CSC personnel bringing their employment issues to Kaiser instead of CSC?
5 5) Why didn't CSC reimburse its employees for business-related expenses? 5)
6 Why did CSC expect their employees to work 80 to 120 hours per week and fill
7 multiple job roles? As CSC's CRE at Kaiser, Ms. Roeser was extremely
8 disturbed by this information and promptly reported each of these concerns to
9 Mr. Watts, Mr. Chopra,, and CSC Human Resources, and asked for their support
10 in addressing these issues. Predictably, CSC did nothing to address these issues,
11 and Kaiser's dissatisfaction with CSC only continued.

- 12 d. Kaiser notified Ms. Roeser that CSC was circumventing the Kaiser work
13 authorization process, and adding resources without appropriate authorization
14 from Kaiser. Ms. Roeser reported this to Nangia, Mr. Watts, Aravindan, Mr.
15 Chopra and Mr. Hampshire.
- 16 e. Ms. Roeser reported to CSC management that Defendant Aravindan was
17 instructing Kaiser managers on how to bypass Kaiser's internal compliance
18 processes. Defendant Nangia, instead of investigating the issue, told Ms. Roeser
19 to stop "bad-mouthing" Aravindan.
- 20 f. Ms. Roeser notified CSC management that CSC had likely violated the Federal
21 Health Insurance Portability and Accountability Act ("HIPAA") as there were
22 6,068 instances where offshore CSC employees had accessed protected health
23 information of Kaiser patients.

24
25 36. In response to Ms. Roeser's complaints of gender discrimination/harassment and
26 unethical/illegal wrongdoing, CSC, rather than supporting Ms. Roeser and taking action to end
27 the discrimination/harassment, demoted her. In that regard, Mr. Roman told Ms. Roeser he was
28 going to remove her from her CRE position and that he was going to transfer her to a new

1 position, Director of Alliances and Partnerships ("Alliance Director") in order to "solve" her
2 issues with the discrimination and harassment (*i.e.*, like it had with other women who had
3 complained about gender discrimination and harassment, CSC made the decision to punish the
4 victim, Ms. Roeser, and to protect the harassers, the Indian male ATS executives). Mr. Roman
5 assured Ms. Roeser that her compensation, incentive plan payments, and bonuses would not be
6 impacted by her transfer to this new position. Mr. Roman further assured Ms. Roeser that she
7 would also receive the full commissions for all of the CSC services she had previously sold to
8 Kaiser in her position as CRE. As described below, Ms. Roeser would later learn that these
9 assurances were false.

10 37. Despite Mr. Roman's previous express representations that Ms. Roeser's new
11 position as Alliances Director would be equivalent to her former position in all aspects, the
12 terms of Ms. Roeser's compensation structure changed significantly to Ms. Roeser's detriment.
13 Moreover, the discrimination, harassment and hostile work environment continued unabated.

14 38. Among other things, Ms. Roeser noticed that, as reflected in the Company's
15 computer system, deals she had made with Kaiser as a CRE had been altered and otherwise
16 wrongfully attributed to other CSC executives (including some of the Indian male ATS
17 executives who were discriminating against and harassing her). These adjustments adversely
18 impacted Ms. Roeser's annual and quarterly compensation. Ms. Roeser repeatedly notified CSC
19 management (both orally and in writing) of these errors and explained that she felt such actions
20 were in retaliation for her discrimination and hostile work environment complaints. In each of
21 these instances, CSC either did not respond or summarily dismissed Ms. Roeser's concerns.

22 39. In addition to retaliating against her by demoting her, CSC management also
23 retaliated and discriminated against Ms. Roeser in other ways, including:

- 24 a. Falsely criticizing her performance;
- 25 b. Isolating her;
- 26 c. Refusing to reimburse her for legitimate business expenses (expenses for which
27 male employees were reimbursed);
- 28 d. Refusing to pay her earned commissions/incentives;

- 1 e. Refusing to recognize her for the Company's "Platinum Circle Status" circle
2 status," while so recognizing similarly situated male employees who had
3 significantly less sales than did Ms. Roeser.
- 4 f. Decreasing her incentive plan payment eligibility from 50% of her base salary to
5 20% of her base salary, despite the fact that no other executives in similar
6 positions received such a decrease. [After Ms. Roeser protested that this action
7 was retaliatory and discriminatory and that it breached the Company's promise
8 not to reduce her wages, the Company relented].
- 9 g. Giving her a 2011 Fiscal Year "Scorecard" that falsely gave her no credit
10 whatsoever for any of the sales or revenue she generated while at Kaiser for
11 Fiscal Year 2011 and that improperly charged her with write-offs of revenue for
12 services she did not sell or even receive sales credit for. [This was contrary to
13 Mr. Roman's representations to Ms. Roeser that she would be paid her full
14 annual commissions for meeting her sales goals for the first four (4) months of
15 Fiscal Year 2011 that she worked in her CRE position before becoming Global
16 Alliances Director].
- 17 h. Passing her over for promotions. For example, although the Healthcare Group
18 Industry Executive, Herb Bornstein, had placed Ms. Roeser on a short list for
19 succession planning for promotion into his position should he leave the
20 Company, CSC never even interviewed Ms. Roeser for that position when he left
21 the Company in early 2011.

22 40. After repeated requests to CSC Human Resources and others to be paid for
23 commissions earned and repeated complaints about discrimination/harassment, Ms. Roeser
24 wrote a final complaint to Mr. Roman (copying Ms. Stafford) on July 21, 2011. In this detailed
25 letter, Ms. Roeser informed Mr. Roman that she had earned approximately \$1,115,950.00 in
26 quarterly incentive payments that CSC had not paid her. Ms. Roeser also informed Mr. Roman
27 that CSC's refusal to pay her for all commissions earned was contrary to Mr. Roman's express
28 representations to her when she transferred positions -- that her compensation, bonuses and

1 incentives would not be impacted, and she would be paid for the CSC services she sold to
2 Kaiser. Ms. Roeser concluded by stating that CSC began depriving her of her earned
3 commissions only after she began to complain to CSC in August 2009 of harassment,
4 discrimination and a hostile work environment, and was deeply offended by CSC's retaliation.

5 41. Two weeks after Ms. Roeser submitted her complaint letter, on August 4, 2011, Mr.
6 Roman responded to it. In a terse e-mail, Mr. Roman summarily dismissed Ms. Roeser's request
7 to CSC to honor its obligations to pay Ms. Roeser commissions she had earned, and stated,
8 without explanation, "I consider the matter closed." Two weeks after that, CSC fired Ms.
9 Roeser.

10 42. Notably, Ms. Roeser's previous position as CRE for Kaiser was not eliminated, and
11 two weeks prior to Ms. Roeser's termination, CSC created a new position called Health Plan
12 Sales Director, which CSC filled with a male executive. Ms. Roeser was more than qualified for
13 this new position. In addition, there were several other available positions for which Ms. Roeser
14 was qualified for which the Company did not appoint her in retaliation for her complaints and/or
15 because of her gender.

16 43. Ms. Roeser has been generally damaged in an amount within the jurisdictional limits
17 of this Court.

18 44. Ms. Roeser's economic damages are continuing and substantial. Ms. Roeser earned
19 an average of \$442,500.00 per year (not including her employment benefits), in addition to
20 considerable quarterly commissions, in excess of \$1.11 million, and other benefits that she
21 enjoyed at CSC. Moreover, despite her best efforts, Ms. Roeser has been unable to find
22 comparable employment. Ms. Roeser's non-economic damages are equally significant. Ms.
23 Roeser has never before been terminated, and it has had a devastating impact on Ms. Roeser's
24 emotional well-being. Specifically, Ms. Roeser has experienced, and continues to experience,
25 severe emotional distress, including anxiety and debilitating depression, as well as physical
26 injuries and/or physical sickness. Moreover, as a result of CSC's egregious and unlawful
27 conduct, and the impact of her wrongful termination, Ms. Roeser suffers from severe insomnia
28 which greatly affects her day-to-day life and personal relationships. Ms. Roeser has also been

1 diagnosed with Alopecia Areata – hair loss related to extreme stress, and has suffered the loss of
2 her eyelashes and eyebrows.

3
4 **FIRST CAUSE OF ACTION**
5 **GENDER DISCRIMINATION AND HARASSMENT**
6 **IN VIOLATION OF THE FAIR EMPLOYMENT AND HOUSING ACT**
7 **(GOVERNMENT CODE § 12940(a) & (j))**

8 (Against all Defendants)

9 45. Ms. Roeser realleges and incorporates by reference paragraphs 1 through 44,
10 inclusive, of this Complaint as if fully set forth herein.

11 46. Beginning in or about June 2009 and continuing, Defendant CSC and Defendants
12 Rakesh Nangia and Raman Aravindan, while acting in the course and scope of their
13 employment with Defendant CSC, and DOES 1 through 50, discriminated against and harassed
14 Plaintiff on the basis of her gender as alleged herein. The discrimination and harassment was
15 sufficiently pervasive and severe as to create a hostile, intimidating, and/or abusive work
16 environment and to alter the terms and conditions of Plaintiff's employment including, without
17 limitation, Ms. Roeser's demotion, termination, and Defendants' failure to pay her
18 compensation.

19 47. The gender discrimination against and harassment of Plaintiff and others was
20 condoned, permitted and encouraged by Defendants and DOES 1 through 50, and each of them,
21 in a manner which was grossly negligent, reckless, willful, malicious and deliberately indifferent
22 to the Plaintiff's personal rights to a discrimination free work environment and safety in the
23 work-place. Defendants and DOES 1 through 50 failed to prevent gender discrimination and
24 harassment from occurring in the work-place.

25 48. The acts and conduct of Defendants, and each of them, as aforesaid, was in violation
26 of California Government Code § 12940(a) and (j). Said statute imposes certain duties upon
27 Defendants, and each of them, concerning discrimination against persons, such as the Plaintiff,
28 on the basis of gender. Said statutes were intended to prevent the type of injury and damage set

1 forth herein. Plaintiff was, at all times herein mentioned, a member of the class of persons
2 intended to be protected by said statutes. At all times herein mentioned, Plaintiff was a person
3 of the female gender and therefore entitled to the protection of California Government Code §
4 12940(a) and (j).

5 49. Prior to the filing of this action, Plaintiff timely filed complaints with the Department
6 of Fair Employment and Housing ("DFEH") alleging that the acts of Defendants established a
7 violation of FEHA, Government Code § 12900 *et. seq.* Plaintiff has received "right to sue"
8 letters from the DFEH against each named Defendant and has timely brought this action
9 thereafter.

10 50. As a direct and legal result of Defendants' wilful, wanton, intentional, malicious
11 and/or reckless conduct and the policies and practices alleged herein, Plaintiff suffered severe
12 and extreme mental and emotional distress, including but not limited to anguish, humiliation,
13 depression, anxiety, insomnia, and hair-loss, the exact nature and extent of which are not now
14 known to her. Plaintiff does not at this time know the exact duration or permanence of said
15 injuries, but is informed and believes, and thereon alleges, that some of the injuries are
16 reasonably certain to be permanent in character. By the aforesaid acts and omissions of
17 Defendants, and each of them, Ms. Roeser has been directly and legally caused to suffer
18 damages, including medical expenses, as alleged herein.

19 51. Plaintiff is informed and believes and thereon alleges that the Defendants, and each
20 of them, by the acts of its managing agents, officers and/or directors in the aforementioned acts
21 and/or ratifying such acts, engaged in willful, malicious, intentional, oppressive and despicable
22 conduct, and acted with willful and conscious disregard of the rights, welfare and safety of
23 Plaintiff, thereby justifying the award of punitive and exemplary damages, against Defendants in
24 an amount to be determined at trial.

25 52. As a result of Defendants' discriminatory acts as alleged herein, Plaintiff is entitled to
26 reasonable attorney's fees and costs of said suit as provided by Government Code § 12965(b).

27 ///

28 ///

1 suffered and continues to suffer physical pain, humiliation, mental and emotional distress,
2 depression, anxiety, insomnia, and hair-loss, all to her damage in an amount in excess of the
3 minimum jurisdiction of this Court, the precise amount of which will be proven at trial.

4 57. Plaintiff is informed and believes and thereon alleges that the Defendants, and each
5 of them, by the acts of its managing agents, officers and/or directors in the aforementioned acts
6 and/or ratifying such acts, engaged in willful, malicious, intentional, oppressive and despicable
7 conduct, and acted with willful and conscious disregard of the rights, welfare and safety of
8 Plaintiff, thereby justifying the award of punitive and exemplary damages, against Defendants
9 and DOES 1 through 40, in an amount to be determined at trial.

10 58. As a result of Defendants' retaliatory and discriminatory acts as alleged herein,
11 Plaintiff is entitled to reasonable attorneys' fees and costs of said suit as provided by California
12 Government Code § 12965(b).

13 \\\

14 **THIRD CAUSE OF ACTION**
15 **FAILURE TO REMEDY, PREVENT, AND INVESTIGATE**
16 **DISCRIMINATION AND HARASSMENT IN VIOLATION OF THE FAIR**
17 **EMPLOYMENT AND HOUSING ACT**
18 **(GOVERNMENT CODE §12940(k))**

19 (Against Defendants Computer Sciences Corporation, CSC Consulting, Inc.
20 and DOES 1-25)

21 59. Plaintiff hereby incorporates by reference Paragraphs 1 through 58 of this Complaint
22 as if fully set forth herein.

23 60. In violation of Government Code §12940(k), Defendants Computer Sciences
24 Corporation, CSC Consulting, Inc. and DOES 1-25 failed to remedy, prevent and investigation
25 gender discrimination and harassment.

26 61. At all relevant time periods, Defendants Computer Sciences Corporation, CSC
27 Consulting, Inc. and DOES 1-25 failed to make an adequate or any response to the harassing
28 and discriminatory conduct described above, as well as complaints of gender

1 discrimination/harassment made by Plaintiff and others and thereby established a policy,
2 custom, practice or usage, which condoned, encouraged, tolerated, sanctioned, ratified,
3 approved of, and/or acquiesced in harassment and discrimination against female employees,
4 including, but not limited to, Plaintiff.

5 62. Plaintiff is informed and believes, and thereon alleges, that during all relevant time
6 periods, Defendants Computer Sciences Corporation, CSC Consulting, Inc.
7 and DOES 1-25 failed to provide any or adequate training and education to their personnel and
8 most particularly to management and supervisory personnel regarding their discrimination and
9 harassment policies and procedures. Defendants Computer Sciences Corporation, CSC
10 Consulting, Inc. and DOES 1-25 knew or reasonably should have known that such failure would
11 result in discrimination and/or harassment against female employees, including, but not limited
12 to, Plaintiff. Such failure on the part of Defendants Computer Sciences Corporation, CSC
13 Consulting, Inc. and DOES 1-25 constituted deliberate indifference to the rights of female
14 employees, including, but not limited to, Plaintiff under Government Code § 12940(k).

15 63. Prior to the filing of this action, Plaintiff timely filed complaints with the Department
16 of Fair Employment and Housing ("DFEH") alleging that the acts of Defendants established a
17 violation of FEHA, Government Code § 12900 *et. seq.* Plaintiff has received "right to sue"
18 letters from the DFEH against each named Defendant and has timely brought this action
19 thereafter.

20 64. Defendants' failure to prevent and/or stop the discrimination and harassment
21 described herein, to inform its employees of the illegality of gender discrimination, harassment
22 and retaliation, and to train and educate its supervisors about the same, compounded and
23 exacerbated the emotional injuries Plaintiff was already suffering as a result of the unlawful
24 conduct described above as well as fostered, created, and encouraged an environment where
25 such harassment and retaliation were condoned, encouraged, tolerated, sanctioned and/or
26 ratified.

27 65. As a proximate result of Defendants' conduct as described more fully above,
28 Plaintiff suffered economic damages, including lost earnings, noneconomic damages, including,

1 without limitation, severe emotional distress, humiliation, anguish, depression, anxiety,
2 insomnia, and hair-loss, in an amount to be proven at trial but in excess of the jurisdictional
3 threshold of this court.

4 66. Plaintiff is informed and believes and thereon alleges that the Defendants, by the acts
5 of their managing agents, officers and/or directors in the aforementioned acts and/or ratifying
6 such acts, engaged in willful, malicious, intentional, oppressive and despicable conduct, and
7 acted with willful and conscious disregard of the rights, welfare and safety of Plaintiff, thereby
8 justifying the award of punitive and exemplary damages, against Defendants, in an amount to be
9 determined at trial.

10 67. As a result of Defendants's acts as alleged herein, Plaintiff is entitled to reasonable
11 attorneys' fees and costs of suit as provided in § 12965(b) of the California Government Code.

12
13 **FOURTH CAUSE OF ACTION**
14 **WRONGFUL DEMOTION/TERMINATION**
15 **IN VIOLATION OF PUBLIC POLICY**

16 (Against Defendants Computer Sciences Corporation, CSC Consulting, Inc.
17 and DOES 1-25)

18 68. Plaintiff hereby incorporates by reference Paragraphs 1 through 67 of this Complaint
19 as if fully set forth herein.

20 69. At all times during her employment with Defendants Computer Sciences
21 Corporation, CSC Consulting, Inc. and DOES 1-25, Plaintiff performed her duties with the
22 diligence and competence.

23 70. Defendants Computer Sciences Corporation, CSC Consulting, Inc.
24 and DOES 1-25, and each of them, and/or their agents/employees wrongfully demoted and
25 terminated the employment of Plaintiff in violation of various fundamental public policies of the
26 State of California and United States. These fundamental public policies are embodied in:

- 27 1. Cal. Labor Code § 1102.5;
28 2. The Sarbanes-Oxley Act of 2002, including but not limited to §§ 302,

1 401;

2 3. Cal. Government Code §§12940 *et. seq.* and California Constitution
3 which mandate that employees be free from unlawful gender
4 discrimination, harassment and retaliation;

5 4. California Constitution, Art. I., § 8;

6 5. Health Insurance Portability and Accountability Act ("HIPAA");

7 6. California Confidentiality of Medical Information Act, Cal. Civil Code
8 §§ 56 *et. seq.*;

9 7. Other Federal and California statutes, regulations, and Constitutional
10 provisions.
11

12 71. Plaintiff is further informed and believes and thereon alleges that any other reasons
13 proffered by Defendants for her termination were and are pretextual in nature. Defendants
14 intentionally created the aforementioned discrimination, harassment and retaliation, and
15 engaged in unlawful conduct under the aforementioned statutes, and then wrongfully terminated
16 Plaintiff for reporting and opposing Defendants' illegal conduct.

17 72. By the aforesaid acts and omissions of Defendants, and each of them, Plaintiff has
18 been directly and legally caused to suffer actual damages including, but not limited to, loss of
19 earnings, costs of suit and other pecuniary loss in an amount not presently ascertained, but to be
20 proven at trial.

21 73. As a further direct and legal result of the acts and conduct of Defendants, and each of
22 them, as aforesaid, Plaintiff has been caused to and did suffer and continues to suffer severe
23 emotional and mental distress, anguish, humiliation, depression, anxiety, insomnia, and hair-
24 loss. Plaintiff does not know at this time the exact duration or permanence of said injuries, but
25 is informed and believes, and thereon alleges, that some if not all of the injuries are reasonably
26 certain to be permanent in character.

27 74. Plaintiff is informed and believes and thereon alleges that Defendants, and each
28 them, by engaging in the aforementioned acts and/or in authorizing and/or ratifying such acts,

1 engaged in wilful, malicious, fraudulent, intentional, oppressive and despicable conduct, and
2 acted with willful and conscious disregard of the rights, welfare and safety of Plaintiff, thereby
3 justifying the award of punitive and exemplary damages in an amount to be determined at trial.

4 75. As a result of Defendants' conduct as alleged herein, Plaintiff is entitled to
5 reasonable attorneys' fees and costs of suit as provided in Section 1021.5 of the California Civil
6 Procedure Code.

7
8 **FIFTH CAUSE OF ACTION**

9 **Denial of Equal Pay in Violation of Equal Pay Act**

10 **California Labor Code § 1197.5**

11 (Against Defendants Computer Sciences Corporation, CSC Consulting, Inc.
12 and DOES 1-25)

13 76. Plaintiff hereby incorporates by reference Paragraphs 1 through 75 of this Complaint
14 as if fully set forth herein

15 77. At all times material hereto, Plaintiff is and was a citizen of the State of California,
16 and employed by Defendants Computer Sciences Corporation, CSC Consulting, Inc. and DOES
17 1-25 in the State of California until her employment was unlawfully terminated. Defendants
18 were required to comply with the California Equal Pay Act (Cal. Lab. Code § 1197.5). This law
19 prohibits paying an employee at wage rates less than members of the opposite sex in the same
20 establishment for equal work on jobs the performance of which requires equal skill, effort and
21 responsibility and which are performed under similar working conditions.

22 78. At all relevant times during Plaintiff's employment with CSC, there was a pay
23 disparity between Plaintiff (as well as other female CSC employees) and CSCs similarly
24 situated male employees. The difference between Plaintiff's (as well as other female CSC
25 employee's pay) and CSC's male employee's pay was because of Plaintiff's female gender, not
26 because of a bona fide factor other than sex.

27 79. Defendant CSC had a pattern and practice of compensating its female employees less
28 than its similarly situated male employees, including paying women lower salaries, lesser

1 benefits and lower bonuses than men.

2 80. As a proximate result of Defendants' conduct as described more fully above,
3 Plaintiff suffered economic damages, including lost earnings, noneconomic damages, including,
4 without limitation, severe emotional distress, humiliation, anguish, depression, anxiety,
5 insomnia, and hair-loss, in an amount to be proven at trial but in excess of the jurisdictional
6 threshold of this court. Moreover, pursuant to Labor Code §1197.5(b), Plaintiff is entitled to
7 the amount of wages (including commissions and incentive payments) that the employee was
8 deprived, plus an additional equal amount as liquidated damages. Furthermore, pursuant to
9 Labor Code §1197.5(g), Plaintiff is also entitled to interest on the unpaid wages, the costs of suit
10 and reasonable attorney's fees.

11 81. Plaintiff is informed and believes and thereon alleges that the Defendants, by the acts
12 of their managing agents, officers and/or directors in the aforementioned acts and/or ratifying
13 such acts, engaged in willful, malicious, intentional, oppressive and despicable conduct, and
14 acted with willful and conscious disregard of the rights, welfare and safety of Plaintiff, thereby
15 justifying the award of punitive and exemplary damages, against Defendants, in an amount to be
16 determined at trial.

17
18 **SIXTH CAUSE OF ACTION**

19 **NEGLIGENT SUPERVISION, TRAINING AND RETENTION**

20 (Against Defendants Computer Sciences Corporation, CSC Consulting, Inc.
21 and DOES 1-25)

22 82. Plaintiff hereby incorporates by reference Paragraphs 1 through 81 of this Complaint
23 as if fully set forth herein.

24 83. Plaintiff is informed and believes and thereon alleges that the individual defendants
25 Raman Aravindan and Rakesh Nangia and other Indian male employees working in the ATS
26 Division of Defendants Computer Sciences Corporation, CSC Consulting, Inc. and DOES 1-25
27 (collectively the "Unfit Individuals") were unfit to perform the work for which they were hired
28 due to their propensity to harass, discriminate and retaliate against female employees based on

1 their gender.

2 84. Plaintiff is further informed and believes and thereon alleges that Defendants
3 Computer Sciences Corporation, CSC Consulting, Inc., and DOES 1-25 (collectively "the
4 Supervisory Defendants") knew or should have known that their employees, including the Unfit
5 Individuals, were unfit to perform their duties and that this unfitness created a particular risk to
6 female employees such as Plaintiff.

7 85. As a direct result of the Unfit Individual's unfitness to perform the duties and
8 responsibilities of their work, due to their propensity to harass, discriminate, and retaliate
9 against female employees, Plaintiff has been caused to and did suffer and continues to suffer
10 severe emotional and mental distress, anguish, humiliation, depression, anxiety, insomnia and
11 hair-loss.

12 86. Plaintiff is further informed and believes and thereon alleges that the Supervisory
13 Defendants, negligently hired, retained, supervised and/or failed to discipline the individuals
14 responsible for Plaintiff's injuries, despite the fact that it was reasonably foreseeable that these
15 Unfit Individuals were likely to inflict injuries upon persons, such as Plaintiff.

16 87. Plaintiff is further informed and believes and thereon alleges that the Supervisory
17 Defendants failed to properly train their employees, including the Unfit Individuals, on matters
18 regarding discrimination and harassment against female employees in the workplace.

19 88. As a direct and legal result of the acts and omissions of the Supervisory
20 Defendants, and each of them in failing to train and supervise the Unfit Individuals as to
21 discrimination and harassment against female employees, and continue to retain the Unfit
22 Individuals after the Supervisory Defendants had notice of their unfitness to perform their work,
23 Plaintiff has been directly and legally caused to suffer actual damages including, but not limited
24 to, loss of earnings and commissions, and other pecuniary loss not presently ascertained.

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28 ///

1 **SEVENTH CAUSE OF ACTION**

2 **FAILURE TO PAY ALL WAGES EARNED**

3 (Against Defendants Computer Sciences Corporation, CSC Consulting, Inc.

4 and DOES 1-25)

5 89. Plaintiff hereby incorporates by reference Paragraphs 1 through 88 of this Complaint
6 as if fully set forth herein.

7 90. At all times herein set forth, California Labor Code § 218 authorizes
8 employees to sue directly for any wages or penalty due to them under the Labor Code.

9 91. At all times herein set forth, the Industrial Welfare Commission ("IWC") Wage
10 Orders and California Labor Code §§ 200 *et. seq.* were applicable to Defendants and its
11 employees including Plaintiff.

12 92. It is unlawful under Labor Code §§ 200 *et. seq.* and the applicable Wage Order for an
13 employer to discharge an employee without paying all wages earned.

14 93. Defendants discharged Plaintiff without paying her all wages earned, including but
15 not limited to Plaintiff's commissions, including Plaintiff's quarterly incentive payments.

16 94. Defendants knew or should have known that it failed to pay Plaintiff all wages
17 earned.

18 95. As a direct and proximate result of Defendants' unlawful actions, Plaintiff has
19 sustained damages, including loss of earnings, in an amount to be established at trial.

20 96. Plaintiff is entitled to recover from Defendants an award of interest, costs and
21 reasonable attorneys' fees pursuant to California Labor Code §§ 218.5 and 218.6 and California
22 Code of Civil Procedure §1021.5.

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1 **EIGHTH CAUSE OF ACTION**

2 **WAITING TIME WAGE CONTINUATION**

3 (Against Defendants Computer Sciences Corporation, CSC Consulting, Inc.

4 and DOES 1-25)

5 97. Plaintiff hereby incorporates by reference Paragraphs 1 through 96 of this Complaint
6 as if fully set forth herein.

7 98. At all times herein set forth, California Labor Code § 218 authorizes
8 employees to sue directly for any wages or penalty due to them under the California Labor
9 Code.

10 99. Defendants' failure to pay wages, as alleged above, was willful in that they knew that
11 wages were due to Plaintiff but failed to pay the wages, thus entitling Plaintiff to wage
12 continuation under Labor Code Section 203, which provides that an employee's wages shall
13 continue until paid for a period of up to thirty (30) days from the time that the wages were due.

14 100. Defendants failed to Plaintiff wages due to her at the time of her termination and
15 failed to pay her those sums for thirty (30) days thereafter.

16 101. As a direct and proximate result of Defendants' unlawful actions, Plaintiff has
17 sustained damages, and therefore requests restitution and penalties as provided by California
18 Labor Code § 203.

19
20 **NINTH CAUSE OF ACTION**

21 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

22 (Against all Defendants)

23 102. The allegations set forth in paragraphs 1 through 101 are incorporated herein by
24 reference.

25 103. Defendants' conduct as described above was extreme and outrageous and was done
26 with the intent of causing Plaintiff to suffer emotional distress or with reckless disregard as to
27 whether their conduct would cause her to suffer such distress.

28 104. By the aforesaid acts and omissions of Defendants, and each of them, Plaintiff has

COMPLAINT FOR DAMAGES

1 been directly and legally caused to suffer actual damages including, but not limited to, loss of
2 earnings and future earning capacity, attorneys' fees, costs of suit and other pecuniary loss not
3 presently ascertained.

4 105. As a further direct and legal result of the acts and conduct of Defendants, and each
5 of them, as aforesaid, Plaintiff has been caused to and did suffer and continues to suffer severe
6 emotional and mental distress, anguish, humiliation, depression, anxiety, insomnia, hair-loss and
7 suffering. The exact nature and extent of said injuries is presently unknown to Plaintiff.
8 Plaintiff does not know at this time the exact duration or permanence of said injuries, but is
9 informed and believes and thereon alleges that some if not all of the injuries are reasonably
10 certain to be permanent in character.

11 106. Plaintiff is informed and believes, and thereon alleges, that the Defendants, and
12 each of them, by engaging in the aforementioned acts and/or in authorizing and/or ratifying such
13 acts, engaged in wilful, malicious, intentional, oppressive and despicable conduct, and acted
14 with wilful and conscious disregard of the rights, welfare and safety of Plaintiff, thereby
15 justifying the award of punitive and exemplary damages in an amount to be determined at trial.

16
17 **TENTH CAUSE OF ACTION**

18 **NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

19 (Against All Defendants)

20 107. The allegations set forth in paragraphs 1 through 106 are incorporated herein by
21 reference.

22 108. Plaintiff was owed a duty of due care by Defendants, and each of them, to ensure
23 that she was not exposed to foreseeable harms.

24 109. Defendants, and each of them, knew, or should have known, that Plaintiff was
25 being, or would be, subjected to the conduct as alleged herein, and knew, or should have known,
26 that subjecting Plaintiff to such conduct and/or failing to exercise due care to any other
27 employee, officer, agent or supervisor from engaging in such conduct, could and would cause
28 Plaintiff to suffer severe emotional distress. Indeed, Plaintiff specifically informed various

1 Company officials including Debi Stafford that she was suffering from emotional distress.
2 Defendants, and each of them, breached their duty of due care by engaging in such conduct, by
3 failing to take any and all reasonable steps to halt such conduct and/or to prevent such conduct
4 from occurring, and by failing to take appropriate corrective action following such conduct.

5 110. Defendants, and each of them, failed to exercise their duty of due care to prevent
6 their employees, managers, supervisors and/or officers from harassing, discriminating and
7 retaliating against Plaintiff.

8 111. As a direct and proximate result of the acts and conduct of Defendants, and each of
9 them, as aforesaid, Plaintiff has been caused to and did suffer and continues to suffer severe and
10 extreme mental and emotional distress, including but not limited to anguish, humiliation,
11 depression, anxiety, insomnia, and hair-loss, the exact nature and extent of which are not now
12 known to her. Plaintiff does not know at this time the exact duration or permanence of said
13 injuries, but is informed and believes and thereon alleges that some if not all of the injuries are
14 reasonably certain to be permanent in character.

15 112. By the aforesaid acts and omissions of Defendants, and each of them, Plaintiff has
16 been directly and legally caused to suffer damages as alleged herein.

17
18 **ELEVENTH CAUSE OF ACTION**

19 **BREACH OF CONTRACT**

20 (Against Defendants Computer Sciences Corporation, CSC Consulting, Inc.
21 and DOES 1-25)

22 113. Plaintiff hereby incorporates by reference Paragraphs 1 through 112 of this
23 Complaint as if fully set forth herein.

24 114. Plaintiff entered into a contract with CSC whereby Plaintiff would receive the
25 incentive payments and/or commissions for the CSC services she had previously sold to Kaiser
26 in her position as Client Relationship Executive after her demotion to the position of Global
27 Alliances Director. Specifically, as part of Ms. Roeser's compensation as Global Alliances
28 Director, Ms. Roeser's bonuses and commissions would continue to be based on the same

1 written policies of CSC and identical compensation structure that governed Ms. Roeser's Client
2 Relationship Executive position.

3 115. Defendants CSC's refusal to pay Plaintiff these incentive payments and/or
4 commissions earned, and refusal to apply the same written policies and compensation structure,
5 constitutes a breach of this contract.

6 116. As a direct and proximate result of CSC'S unlawful actions and breach of its
7 contractual obligations, Plaintiff has sustained damages, including loss of earnings, in an
8 amount to be established at trial.

9

10 **PRAYER FOR RELIEF**

11 WHEREFORE, Plaintiff prays for judgment against Defendants, and each of them, as
12 follows:

- 13 1. For general damages in an amount within the jurisdiction limits of this court
14 according to proof;
- 15 2. For compensatory damages according to proof;
- 16 3. For emotional distress damages and medical expenses;
- 17 4. For loss of earnings, according to proof;
- 18 5. For attorneys fees and costs pursuant to California Government Code § 12965(b),
19 and California Code of Civil Procedure § 1021.5 and or the California Labor
20 Code;
- 21 6. For civil penalties pursuant to California Labor Code § 1102.5(f);
- 22 7. For waiting time continuation pay as prescribed by California Labor Code § 203;
- 23 8. For punitive and exemplary damages pursuant to California Civil. Code § 3294;
- 24 9. For costs of suit;

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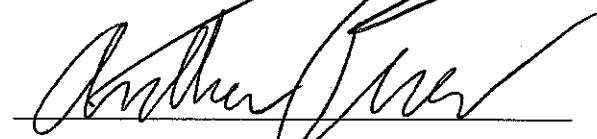
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10. For an award of interest, including prejudgment interest, at the legal rate; and
11. For such other and further relief as the Court may deem just and proper.

Dated: April 18, 2012

HELMER • FRIEDMAN, LLP

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Dated: April 18, 2012

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SCHONBRUN DESIMONE SEPLOW
HARRIS HOFFMAN & HARRISON, LLP

Mr

COMPLAINT FOR DAMAGES