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FILED
Superior Court Of California
County Of Los Angeles

MAY 23 2014

Sherri R. Carter, Executive Officer/Clerk
By Amber Bayes, Deputy

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

KOURTNEY LIGGINS,

Plaintiff,

vs.

ARCHDIOCESE OF LOS ANGELES,
TRANSFIGURATION SCHOOL,
MICHAEL TANG, EVELYN
RICKENBACKER, and DOES 1 to
100, inclusive,

Defendants.

Case No.: BC522726

**PLAINTIFF KOURTNEY LIGGINS'
FIRST AMENDED COMPLAINT FOR
DAMAGES FOR:**

- (1) **DISCRIMINATION ON THE BASIS
OF AGE IN VIOLATION OF
FEHA;**
- (2) **HARASSMENT ON THE BASIS OF
AGE IN VIOLATION OF FEHA;**
- (3) **RETALIATION FOR
COMPLAINING OF
DISCRIMINATION AND
HARASSMENT ON THE BASIS OF
AGE IN VIOLATION OF FEHA;**
- (4) **DISCRIMINATION ON THE BASIS
OF GENDER IN VIOLATION OF
FEHA;**
- (5) **HARASSMENT ON THE BASIS OF
GENDER IN VIOLATION OF
FEHA;**
- (6) **RETALIATION FOR
COMPLAINING OF
DISCRIMINATION AND
HARASSMENT ON THE BASIS OF
GENDER IN VIOLATION OF
FEHA;**
- (7) **DISCRIMINATION ON THE BASIS
OF PREGNANCY IN VIOLATION**

- 1 OF FEHA;
2 (8) HARASSMENT ON THE BASIS OF
3 PREGNANCY IN VIOLATION OF
4 FEHA;
5 (9) RETALIATION FOR
6 COMPLAINING OF
7 DISCRIMINATION AND
8 HARASSMENT ON THE BASIS OF
9 PREGNANCY IN VIOLATION OF
10 FEHA;
11 (10) DISCRIMINATION ON THE BASIS
12 OF DISABILITY IN VIOLATION
13 OF FEHA;
14 (11) HARASSMENT ON THE BASIS OF
15 DISABILITY IN VIOLATION OF
16 FEHA;
17 (12) RETALIATION FOR
18 COMPLAINING OF
19 DISCRIMINATION AND
20 HARASSMENT ON THE BASIS OF
21 DISABILITY IN VIOLATION OF
22 FEHA;
23 (13) INTENTIONAL INFLICTION OF
24 EMOTIONAL DISTRESS;
25 (14) WRONGFUL TERMINATION OF
26 EMPLOYMENT IN VIOLATION
27 OF PUBLIC POLICY;
28 (15) DEFAMATION;
(16) COMPELLED SELF-
DEFAMATION;
(17) "BLACKLISTING IN VIOLATION
OF LABOR CODE §1050

DEMAND FOR JURY TRIAL

Plaintiff, Kourtney Liggins, alleges:

PARTIES

1. Plaintiff, Kourtney Liggins ("plaintiff" or "Liggins"), is, and at all times mentioned in this Complaint was, a resident of Los Angeles County, California.

1 2. Defendant Archdiocese of Los Angeles ("defendant" or "Archdiocese") is, and
2 at all times mentioned in this Complaint was, authorized to operate by the State of
3 California and the United States government and authorized and qualified to do business
4 in the County of Los Angeles. Archdiocese's place of business, where the following
5 causes of action took place, was and is in the County of Los Angeles, at 3424 Wilshire
6 Boulevard, Los Angeles, California 90010-2241.

7 3. Defendant Transfiguration School ("defendant" or "Transfiguration") is, and at
8 all times mentioned in this Complaint was, authorized to operate by the State of
9 California and the United States government and authorized and qualified to do business
10 in the County of Los Angeles. Transfiguration's place of business, where the following
11 causes of action took place, was and is in the County of Los Angeles, at 400 Roxton
12 Avenue, Los Angeles, California 90008.

13 4. Defendant Michael Tang ("Tang") is, and at all times mentioned in this
14 Complaint was, employed by Archdiocese and Transfiguration and was plaintiff's
15 supervisor. At all times known to plaintiff, defendant Tang was a resident of Los
16 Angeles County.

17 5. Defendant Evelyn Rickenbacker ("Rickenbacker") is, and at all times
18 mentioned in this Complaint was, employed by Archdiocese and Transfiguration and
19 was plaintiff's supervisor. At all times known to plaintiff, defendant Rickenbacker was a
20 resident of Los Angeles County.

21 6. Defendants Does 1 through 100 are sued under fictitious names pursuant to
22 Code of Civil Procedure section 474. Plaintiff is informed and believes, and on that
23 basis alleges, that each of the defendants sued under fictitious names is in some manner
24 responsible for the wrongs and damages alleged below, in so acting was functioning as
25 the agent, servant, partner, and employee of the co-defendants, and in taking the actions
26 mentioned below was acting within the course and scope of his or her authority as such
27 agent, servant, partner, and employee, with the permission and consent of the co-
28 defendants.

1 7. Defendants Archdiocese and Transfiguration both directly and indirectly
2 employed plaintiff Liggins, as defined under the Fair Employment and Housing Act
3 ("FEHA") at Government Code section 12926(d).

4 8. In addition, defendants Archdiocese and Transfiguration compelled, coerced,
5 aided, and abetted the discrimination, which is prohibited under California Government
6 Code section 12940(i).

7 9. Finally, at all relevant times mentioned herein, all defendants acted as agents of
8 all other defendants in committing the acts alleged herein.

10 INTRODUCTORY ALLEGATIONS

11 10. Plaintiff Liggins, a 41-year-old woman, was employed by defendants
12 Archdiocese and Transfiguration for five years, from 2008 until June 21, 2013. Plaintiff
13 worked as an eighth-grade teacher for all five years. Her direct supervisors at the time
14 her employment was terminated were defendants Tang, who oversees the school as the
15 pastor, and Rickenbacker, the school principal. At all times, plaintiff performed her job
16 duties in an exemplary manner.

17 11. Plaintiff believes Transfiguration School is its own separate legal entity because
18 it has held itself out to be such. On plaintiff Liggins' pay stubs, the corporation listed
19 that issues her paychecks is Transfiguration School Education And Welfare Corporation.
20 The address listed for this corporation is Transfiguration School's address.
21 Transfiguration School has its own mission statement, which is "[e]ach student of
22 Transfiguration School shall: experience a well balanced curriculum, grow in love of
23 god, self, humankind and all creation, develop knowledge of and respect for his/her
24 cultural heritage, and prepare to become a responsible citizen of society."

25 12. In June of 2012, when plaintiff Liggins was about seven months' pregnant,
26 defendant Tang told plaintiff that Liggins' pregnancy would morally corrupt
27 impressionable teenagers.

28 13. Defendant Tang referred to plaintiff Liggins' then unborn child as "it" and said

1 that "it" would not be permitted on Transfiguration's campus.

2 14. Plaintiff complained to defendants' human resources department and to the
3 bishop about defendant Tang's harassing treatment of her. The bishop dismissingly
4 responded saying he would speak to Tang, but advised Liggins to "pray on it."

5 15. In July of 2012, plaintiff began her maternity leave. She planned to remain on
6 leave for one full year and to return to teaching in the 2013-2014 school year.

7 16. Plaintiff was not told by defendants that she would be violating any school or
8 church policy by having a child out of wedlock, or that she would not be able to work for
9 defendants if she had her baby because she would be violating a school or church
10 precept. In fact, on or around November of 2012, defendant Tang informed plaintiff
11 Liggins that she had to return to teach by December 1 or else she would be terminated.
12 Liggins ended her maternity leave a full six months early because she feared losing her
13 job. When she came back to work, Liggins was still nursing her daughter; she had to
14 feed her child on her lunch break at the day care center across the street from the school.

15 17. Plaintiff's compensation was lower when she returned to teaching in December
16 2012 than it had been prior to maternity leave.

17 18. After plaintiff Liggins cut her maternity leave short and returned to work, she
18 was left out of meetings held among the fifth-, sixth-, and seventh-grade teachers to
19 discuss class changes. Defendant Rickenbacker, then a seventh-grade teacher and vice
20 principal of the school, told Liggins that the meetings were not meetings, but just
21 teachers having lunch together in Rickenbacker's office. Because she was excluded from
22 the meetings, Liggins was not notified of classroom changes.

23 19. Defendants' teachers also began to retaliate against plaintiff's children, who
24 were students at defendant Transfiguration. When a sixth-grade teacher confiscated
25 plaintiff's son's iPad, Liggins went to the teacher at the end of the school day and asked
26 to have the iPad returned. The teacher told her that she could get the iPad back at the end
27 of the school year, although other students who had items confiscated got them back at
28 the end of the school day.

1 20. Plaintiff's children told her that defendant Rickenbacker often made comments
2 about immorality in the classroom and also remarked that the students "were not getting
3 ready for high school." Plaintiff believed that these comments referred to her, as she had
4 already been accused of immorality and as she was the school's only eighth-grade
5 teacher.

6 21. Plaintiff Liggins scheduled a meeting with defendant Tang to discuss
7 scholarships for her children. The meeting was set for May 7, 2013, but when Liggins
8 arrived Tang abruptly rescheduled it for the next day because he said that defendant
9 Rickenbacker needed to be there.

10 22. On May 8, 2013, when Liggins met with Tang about scholarships, Tang for the
11 first time addressed alleged parent complaints about Liggins. Plaintiff Liggins was given
12 a packet of complaints, some of them as much as 13 months old, about her performance
13 and her pregnancy. Liggins asked why the complaints had not been turned over to her
14 before when there were so many, the school's secretary, Ms. Crockett, said that she was
15 sorry, but she had been "too busy." Several of the complaints did not have dates or
16 complainants' names on them. Until that meeting, Liggins had never been told that there
17 was any complaint about her.

18 23. The father of one of plaintiff Liggins's students later told her that defendant
19 Tang offered to forgive his debt to defendant Transfiguration if he would complain about
20 Liggins in writing.

21 24. A parent who sent plaintiff a text message during school hours later complained
22 that plaintiff was using her cell phone in class. That parent's child received a grant from
23 the school.

24 25. On May 13, 2013, Adrian McGee, plaintiff Liggins's partner and the father of
25 her daughter, visited defendant Rickenbacker's classroom, in which Liggins's son was a
26 student, by appointment. McGee told Liggins that Rickenbacker made comments on
27 immorality and on "not getting ready for high school."

28 26. On May 15, 2013, plaintiff Liggins was called to a meeting, which McGee was

1 specifically forbidden to attend as a witness. Defendants gave McGee a memo stating
2 that he was no longer permitted on school grounds.

3 27. In the May 15, 2013 meeting, Liggins was handed a performance review that
4 contained false statements about her. Defendant Tang told her to sign the review, or she
5 would be suspended. Liggins refused to sign because of the false statements and asked
6 to call defendants' human resources department. HR manager Margaret Antcazk said
7 that plaintiff did not have to sign the review as long as witnesses heard Tang read it to
8 her and stated that Tang could not suspend Liggins.

9 28. In the minutes of the May 16, 2013 meeting, Deacon Gregory J. Patterson noted
10 that defendant Tang said that "backstabbing and insubordinate behavior will not be
11 tolerated and will stop from this day forward . . . There is going to be a turnover here at
12 our school with new and younger faculty members. They are to be welcomed and treated
13 with respect." Two other female teachers who were near plaintiff's age were fired at
14 about the same time and replaced with people in their early 20s.

15 29. In June 2013, Plaintiff was injured her back and tailbone at work while moving
16 a desk for the end of year party. Plaintiff sought medical treatment and applied for
17 worker's compensation. Plaintiff's worker's compensation was denied because
18 defendants reported Plaintiff's injury never happened and Plaintiff filed a claim only
19 because defendants fired her.

20 30. Defendants terminated plaintiff's employment by written notice dated June 21,
21 2013. Defendants' alleged reason for the discharge was complaints from eighth-grade
22 parents that plaintiff was often late to work and used cell phone during school hours, as
23 well as McGee's visit to the school on May 13, 2013. Plaintiff withdrew her children
24 from Transfiguration.

25 31. Plaintiff requested her personnel file from defendants. When she received it, her
26 contract for the 2012-2013 school year was missing. However, the file included a March
27 3, 2011 employee counseling notice on which Liggins's signature and those of her sisters
28 and the purported witnesses were forged. In addition, the file contained forged time cards

1 purporting to show that Liggins was late on numerous occasions.

2 32. Plaintiff believes defendants have told other employers and individuals within
3 the Archdiocese about reasons for her termination, specifically that she was habitually
4 absent, late, unprepared and a poor teacher because Plaintiff's sister, the former
5 principal, had job offers retracted after Plaintiff was terminated.

6 33. Plaintiff also believes defendants actively sought to prevent plaintiff from
7 obtaining future employment by falsely representing to potential future employers that
8 plaintiff was seeking employment at that plaintiff was terminated for being habitually
9 late, absent, unprepared, as well as a poor teacher.

10 34. Plaintiff also alleges that she was forced to tell potential employers the reasons
11 defendants gave for terminating her, which was that she was habitually late, absent,
12 unprepared, as well as a poor teacher.

13 35. Plaintiff believes and alleges that defendants' true reasons for terminating her
14 employment were, among other things, her age, her gender, and her pregnancy.

15 36. As a result of defendants harassing and discriminatory treatment towards her
16 and her termination, Plaintiff has suffered severe depression, anxiety, lack of sleep, low
17 self esteem, and frustration from being unable to find another teaching position.

18
19 **FIRST CAUSE OF ACTION**

20 **(Discrimination on the Basis of Age)**

21 **Government Code § 12940, *et seq.*—**

22 **Against Defendant Transfiguration Inclusive of**

23 **DOES 1 to 100**

24 37. The allegations set forth in paragraphs 1 through 36 are re-alleged and incorpo-
25 rated herein by reference.

26 38. At all times herein mentioned, FEHA, Government Code section 12940, *et seq.*,
27 was in full force and effect and was binding on defendant. This statute requires defen-
28 dant to refrain from discriminating against any employee because he or she is more than

1 40 years old. Within the time provided by law, plaintiff filed a complaint with the
2 Department of Fair Employment and Housing ("DFEH"), in full compliance with admin-
3 istrative requirements, and received a right-to-sue letter.

4 39. During plaintiff's employment with defendant, defendant, through its su-
5 pervisors, engaged in actions that had a negative impact on the treatment of employees
6 who were more than 40 years old. Specifically, defendant discharged older employees
7 with greater frequency than younger employees, hired fewer employees who were older
8 than 40, and gave better jobs and benefits to younger employees.

9 40. During plaintiff's employment with defendant, defendant intentionally engaged
10 in age discrimination by discharging employees over the age of 40 with greater
11 frequency than other employees. During plaintiff's employment with defendant, defen-
12 dant had a pattern and practice of discriminating against employees who were more than
13 40 years old.

14 41. Plaintiff was a qualified employee at the time of the termination of her employ-
15 ment, she was more than 40 years old, and she was replaced by an employee younger
16 than 40, raising an inference of discrimination.

17 42. Defendant, through its managers and supervisors, made a number of comments
18 to and about plaintiff Liggins that exhibited ageist motivations, intentions, and
19 consciousness. Plaintiff believes and on that basis alleges that defendant's real motiva-
20 tion was to discharge her because of her age.

21 43. On the basis of the above, plaintiff believes and alleges that her age was a sub-
22 stantial motivating reason in defendant's termination of her employment.

23 44. As a proximate result of defendant's willful, knowing, and intentional discrimi-
24 nation against plaintiff, plaintiff has sustained and continues to sustain substantial losses
25 of earnings and other employment benefits.

26 45. As a proximate result of defendant's willful, knowing, and intentional discrimi-
27 nation against plaintiff, plaintiff has suffered and continues to suffer humiliation, emo-
28 tional distress, and mental and physical pain and anguish, all to her damage in a sum

1 according to proof.

2 46. Defendant's discrimination was done intentionally, in a malicious, oppressive
3 manner, entitling plaintiff to punitive damages.

4 47. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
5 Plaintiff is at present unaware of the precise amounts of these expenses and fees and will
6 seek leave of court to amend this Complaint when the amounts are fully known.
7

8 **SECOND CAUSE OF ACTION**

9 **(Harassment on the Basis of Age)**

10 **Government Code § 12940—**

11 **Against Defendants Transfiguration, Tang, and**

12 **Rickenbacker Inclusive of DOES 1 to 100**

13 48. The allegations set forth in paragraphs 1 through 47 are re-alleged and incorpo-
14 rated herein by reference.

15 49. At all times herein mentioned, FEHA, Government Code section 12940(j)(1) and
16 12940(j)(3), was in full force and effect and was binding on defendants. This statute
17 requires defendants to refrain from harassing any employee because he or she is more than
18 40 years old. Within the time provided by law, plaintiff filed a complaint with the DFEH,
19 in full compliance with administrative requirements, and received a right-to-sue letter.

20 50. Defendants engaged in actions to harass plaintiff because of her age. Defen-
21 dants directed numerous comments to plaintiff, as was stated above, shunned her in daily
22 activities, refused to involve her in various projects, including meetings regarding class
23 changes, and took other actions directed toward plaintiff to get her to quit her job
24 because of her age.

25 51. As a proximate result of defendants' willful, knowing, and intentional harass-
26 ment, plaintiff sustained damages in a sum according to proof.

27 52. As a proximate result of defendants' willful, knowing, and intentional harass-
28 ment, plaintiff has suffered and continues to suffer humiliation, emotional distress, and

1 mental and physical pain and anguish, all to her damage in a sum according to proof.

2 53. Defendants' harassment of plaintiff was done intentionally, in a malicious, op-
3 pressive manner, entitling plaintiff to punitive damages.

4 54. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
5 Plaintiff is at present unaware of the precise amounts of these expenses and fees and will
6 seek leave of court to amend this Complaint when the amounts are fully known.

7
8 **THIRD CAUSE OF ACTION**

9 **(Retaliation for Complaining of Discrimination**
10 **and Harassment on the Basis of Age)**

11 **Government Code § 12940(h)—Against Defendant**

12 **Transfiguration Inclusive of DOES 1 to 100**

13 55. The allegations set forth in paragraphs 1 through 54 are re-alleged and incorpo-
14 rated herein by reference.

15 56. At all times herein mentioned, FEHA, Government Code section 12940(h), was
16 in full force and effect and was binding on defendant. This statute requires defendant to
17 refrain from retaliating against any employee for complaining of discrimination or
18 harassment. Prior to filing the instant Complaint, plaintiff filed a timely administrative
19 charge with the DFEH and received a right-to-sue notice.

20 57. Plaintiff believes and on that basis alleges that her complaints about discrimina-
21 tion and harassment because of her age were a substantial motivating reason in defen-
22 dant's termination of her employment. Specifically, Plaintiff was removed from her
23 position as youth minister in May 2012, and defendant Tang said around May 16, 2013
24 that, "There is going to be a turnover here at our school with new and younger faculty
25 members. They are to be welcomed and treated with respect."

26 58. As a proximate result of defendant's willful, knowing, and intentional retalia-
27 tion against plaintiff, plaintiff has sustained and continues to sustain substantial losses of
28 earnings and other employment benefits.

1 59. As a proximate result of defendant's willful, knowing, and intentional retaliation
2 against plaintiff, plaintiff has suffered and continues to suffer humiliation, emotional
3 distress, and physical and mental pain and anguish, all to her damage in a sum according
4 to proof.

5 60. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
6 Plaintiff is at present unaware of the precise amounts of these expenses and fees and will
7 seek leave of court to amend this Complaint when the amounts are fully known.

8 61. Defendants' misconduct was committed intentionally, in a malicious, despicable,
9 oppressive manner, entitling plaintiff to punitive damages against defendant.

10
11 **FOURTH CAUSE OF ACTION**

12 **(Discrimination on the Basis of Gender)**

13 **Government Code § 12940—Against Defendant**

14 **Transfiguration Inclusive of DOES 1 to 100**

15 62. The allegations set forth in paragraphs 1 through 61 are re-alleged and incorporated
16 herein by reference.

17 63. At all times herein mentioned, FEHA, Government Code section 12940, was in
18 full force and effect and was binding on defendant. This statute requires defendant to
19 refrain from discriminating against any employee on the basis of gender, among other
20 things. Within the time provided by law, plaintiff filed a complaint with the DFEH, in
21 full compliance with administrative requirements, and received a right-to-sue letter.

22 64. During plaintiff Liggins's employment with defendant, defendant, through its
23 supervisors, engaged in actions that had a negative impact on the treatment of female
24 employees. During plaintiff's employment with defendant Transfiguration, defendant
25 intentionally engaged in gender discrimination.

26 65. Plaintiff Liggins was a qualified employee who performed her job in an exemplary
27 manner. Defendant subjected plaintiff to negative gender-based comments and to
28 continuous harassing and threatening behavior. Defendant intentionally discriminated

1 against plaintiff in violation of the law.

2 66. Defendant, through their managers and supervisors, made a number of com-
3 ments to and about plaintiff Liggins that exhibited discriminatory motivations, inten-
4 tions, and consciousness.

5 67. On the basis of the above, plaintiff believes and alleges that defendant dis-
6 criminated against her on the basis of gender.

7 68. As a proximate result of defendant's willful, knowing, and intentional discrimi-
8 nation against plaintiff, plaintiff has sustained and continues to sustain substantial losses
9 of earnings and other employment benefits.

10 69. As a proximate result of defendant's willful, knowing, and intentional discrimi-
11 nation against plaintiff, plaintiff has suffered and continues to suffer humiliation, emo-
12 tional distress, and mental and physical pain and anguish, all to her damage in a sum
13 according to proof.

14 70. Defendant's discrimination was done intentionally, in a malicious, oppressive
15 manner, entitling plaintiff to punitive damages.

16 71. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
17 Plaintiff is at present unaware of the precise amounts of these expenses and fees and will
18 seek leave of court to amend this Complaint when the amounts are fully known.

19
20 **FIFTH CAUSE OF ACTION**

21 **(Harassment on the Basis of Gender)**

22 **Government Code § 12940—Against Defendants**

23 **Transfiguration, Tang, and Rickenbacker Inclusive of**

24 **DOES 1 to 100**

25 72. The allegations set forth in paragraphs 1 through 71 are re-alleged and incorpo-
26 rated herein by reference.

27 73. At all times herein mentioned, FEHA, Government Code section 12940, was in
28 full force and effect and was binding on defendants. This statute requires defendant to

1 refrain from harassing any employee on the basis of gender, among other things. Within
2 the time provided by law, plaintiff filed a complaint with the DFEH, in full compliance
3 with administrative requirements, and received a right-to-sue letter.

4 74. During plaintiff Liggins's employment with defendant, defendant, through its
5 supervisors, engaged in actions that had a negative impact on the treatment of female
6 employees. During plaintiff's employment with defendant, defendant intentionally
7 engaged in harassment on the basis of gender.

8 75. Plaintiff Liggins was a qualified employee who performed her job in an exem-
9 plary manner. Defendant subjected plaintiff to negative gender-based comments and to
10 continuous harassing and threatening behavior. Defendant intentionally harassed plain-
11 tiff in violation of the law.

12 76. Defendant, through its managers and supervisors, made a number of comments
13 to and about plaintiff Liggins that exhibited harassing motivations, intentions, and
14 consciousness.

15 77. On the basis of the above, plaintiff believes and alleges that defendant harassed
16 her on the basis of her gender

17 78. As a proximate result of defendant's willful, knowing, and intentional harass-
18 ment of plaintiff, plaintiff has sustained and continues to sustain substantial losses of
19 earnings and other employment benefits.

20 79. As a proximate result of defendant's willful, knowing, and intentional harass-
21 ment of plaintiff, plaintiff has suffered and continues to suffer humiliation, emotional
22 distress, and mental and physical pain and anguish, all to her damage in a sum according
23 to proof.

24 80. Defendant's harassment was done intentionally, in a malicious, oppressive
25 manner, entitling plaintiff to punitive damages.

26 81. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
27 Plaintiff is at present unaware of the precise amounts of these expenses and fees and will
28 seek leave of court to amend this Complaint when the amounts are fully known.

SIXTH CAUSE OF ACTION
(Retaliation for Complaining of Discrimination
and Harassment on the Basis of Gender)
Government Code § 12940—Against Defendant
Transfiguration Inclusive of DOES 1 to 100

82. The allegations set forth in paragraphs 1 through 81 are re-alleged and incorporated herein by reference.

83. At all times herein mentioned, FEHA, Government Code section 12940, was in full force and effect and was binding on defendants. This statute requires defendants to refrain from retaliating against any employee for complaining of discrimination or harassment on the basis of gender, among other things. Within the time provided by law, plaintiff filed a complaint with the DFEH, in full compliance with administrative requirements, and received a right-to-sue letter.

84. During plaintiff Liggins' employment with defendant Transfiguration, defendant, through its supervisors, engaged in actions that had a negative impact on the treatment of female employees. During plaintiff's employment with defendants, defendants intentionally engaged in gender discrimination and harassment. Specifically, defendant Tang told her she was "immoral" for being pregnant and unmarried woman and would morally corrupt impressionable teenagers.

85. Plaintiff Liggins was a qualified employee who performed her job in an exemplary manner. Defendant subjected plaintiff to negative gender-based comments and to continuous harassing and threatening behavior. Defendant intentionally discriminated against and harassed plaintiff in violation of the law.

86. Defendant, through its managers and supervisors, made a number of comments to and about plaintiff Liggins that exhibited discriminatory and harassing motivations, intentions, and consciousness.

87. On the basis of the above, plaintiff believes and alleges that defendant retaliated against her for her complaints of discrimination and harassment on the basis of gender.

1 88. As a proximate result of defendant's willful, knowing, and intentional retalia-
2 tion, plaintiff has sustained and continues to sustain substantial losses of earnings and
3 other employment benefits.

4 89. As a proximate result of defendants' willful, knowing, and intentional retalia-
5 tion, plaintiff has suffered and continues to suffer humiliation, emotional distress, and
6 mental and physical pain and anguish, all to her damage in a sum according to proof.

7 90. Defendant's misconduct was committed intentionally, in a malicious,
8 oppressive manner, entitling plaintiff to punitive damages.

9 91. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
10 Plaintiff is at present unaware of the precise amounts of these expenses and fees and will
11 seek leave of court to amend this Complaint when the amounts are fully known.

12
13 **SEVENTH CAUSE OF ACTION**
14 **(Discrimination on the Basis of Pregnancy (FEHA))—**
15 **Against Defendant Transfiguration**
16 **Inclusive of DOES 1 to 100**

17 92. The allegations set forth in paragraphs 1 through 91 are re-alleged and incorpo-
18 rated herein by reference.

19 93. At all times herein mentioned, FEHA, Government Code sections 12900-
20 12996, was in full force and effect and was binding on defendant. These statutes require
21 defendant to refrain from discriminating against any employee on the basis of pregnancy
22 or family leave, among other things. Within the time provided by law, plaintiff filed a
23 complaint with the DFEH, in full compliance with administrative requirements, and
24 received a right-to-sue letter.

25 94. Defendant terminated plaintiff's employment in violation of FEHA's prohibi-
26 tion against discrimination on the basis of pregnancy or family leave. Had plaintiff not
27 become pregnant outside of marriage and not taken maternity leave, she would have
28 retained her job for a substantially longer time and obtained benefits that other

1 employees who did not take family leave did, in fact, receive.

2 95. After plaintiff's pregnancy leave in 2012, defendants terminated her employ-
3 ment on June 21, 2013. Plaintiff Liggins believes and alleges that her pregnancy and
4 need for leave were factors in defendant's termination of her employment.

5 96. As a proximate result of defendant's discrimination against plaintiff and their
6 wrongful termination of her employment in violation of FEHA, plaintiff has suffered and
7 continues to suffer humiliation, emotional distress, and mental and physical pain and
8 anguish, all to her damage in a sum according to proof.

9 97. Defendant's discrimination was done intentionally, in a malicious, oppressive
10 manner, entitling plaintiff to punitive damages.

11 12 **EIGHTH CAUSE OF ACTION**

13 **(Harassment on the Basis of Pregnancy (FEHA))—**

14 **Against Defendants Transfiguration, Tang, and**

15 **Rickenbacker Inclusive of DOES 1 to 100**

16 98. The allegations set forth in paragraphs 1 through 97 are re-alleged and incorpo-
17 rated herein by reference.

18 99. At all times herein mentioned, FEHA, Government Code sections 12900-
19 12996, was in full force and effect and was binding on defendants. These statutes re-
20 quire defendants to refrain from harassing any employee on the basis of pregnancy or
21 family leave, among other things. Within the time provided by law, plaintiff filed a
22 complaint with the DFEH, in full compliance with administrative requirements, and
23 received a right-to-sue letter.

24 100. Defendants terminated plaintiff's employment in violation of FEHA's prohibi-
25 tion against harassment on the basis of pregnancy or family leave. Had plaintiff not
26 become pregnant outside of marriage and not taken maternity leave, she would have re-
27 tained her job for a substantially longer time and obtained benefits that other employees
28 who did not take family leave did, in fact, receive.

1 101. After plaintiff announced her pregnancy, defendants began making negative
2 comments about the fact that she was pregnant and unmarried. These included
3 defendant Tang calling her "immoral" for being pregnant and unmarried, saying she
4 would corrupt impressionable teenagers, referring to plaintiff's then unborn child as "it,"
5 and stating that her child, which he referred to as "it," would not be allowed on campus.
6 In addition, defendant Rickenbacker, who was then plaintiff's son's teacher, made
7 frequent comments in her classroom about "immorality," as well as statements that her
8 students "were not getting for high school," referring to plaintiff Liggins's position as
9 the school's only eighth-grade teacher.

10 102. After plaintiff's pregnancy leave in 2012, defendants terminated her employ-
11 ment on June 21, 2013. Plaintiff Liggins believes and alleges that her pregnancy and
12 need for leave were factors in defendants' termination of her employment.

13 103. As a proximate result of defendants' harassment of plaintiff and their wrongful
14 termination of her employment in violation of FEHA, plaintiff has suffered and contin-
15 ues to suffer humiliation, emotional distress, and mental and physical pain and anguish,
16 all to her damage in a sum according to proof.

17 104. Defendants' harassment was done intentionally, in a malicious, oppressive man-
18 ner, entitling plaintiff to punitive damages.

19
20 **NINTH CAUSE OF ACTION**

21 **(Retaliation for Complaining of Discrimination and**
22 **Harassment on the Basis of Pregnancy (FEHA))—Against**
23 **Defendant Transfiguration Inclusive of DOES 1 to 100**

24 105. The allegations set forth in paragraphs 1 through 104 are re-alleged and
25 incorporated herein by reference.

26 106. At all times herein mentioned, FEHA, Government Code section 12940(a), (i),
27 (m), and (n), was in full force and effect and was binding on defendants. This statute
28 requires defendants to refrain from retaliating against any employee on the basis of

1 pregnancy. Within the time provided by law, plaintiff Liggins filed a complaint with the
2 DFEH, in full compliance with administrative requirements, and received a right-to-sue
3 letter.

4 107. Defendants terminated plaintiff's employment in violation of FEHA's prohibi-
5 tion against retaliation on the basis of pregnancy. Had plaintiff not been pregnant and
6 unmarried, she would have retained her job for a substantially longer time and obtained
7 benefits that other employees who were not pregnant and unmarried did, in fact, receive.

8 108. Defendant Tang told her she could no longer serve in said positions at the
9 church because she was "immoral" for being pregnant and unmarried and would morally
10 corrupt impressionable teenagers.

11 109. Plaintiff's compensation from December 2012 until she was terminated was
12 less than her compensation prior to maternity leave.

13 110. Plaintiff believes and on that basis alleges that her pregnancy was a substantial
14 motivating reason in defendant's termination of her employment.

15 111. As a proximate result of defendant's willful, knowing, and intentional retalia-
16 tion, plaintiff has sustained and continues to sustain substantial losses of earnings and
17 other employment benefits.

18 112. As a proximate result of defendant's willful, knowing, and intentional retalia-
19 tion, plaintiff has suffered and continues to suffer humiliation, emotional distress, and
20 physical and mental pain and anguish, all to her damage in a sum according to proof.

21 113. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
22 Plaintiff is at present unaware of the precise amounts of these expenses and fees and will
23 seek leave of court to amend this Complaint when the amounts are fully known.

24 114. Defendant's misconduct was committed intentionally, in a malicious,
25 despicable, oppressive manner, entitling plaintiff to punitive damages against defendant.

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1 122. Defendant's misconduct was committed intentionally, in a malicious,
2 despicable, oppressive manner, entitling plaintiff to punitive damages against defendant.

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4 **ELEVENTH CAUSE OF ACTION**

5 **(Harassment on the Basis of Disability)**

6 **Government Code § 12940(a), (i), (m), (n)—Against**

7 **Defendants Transfiguration, Tang, and Rickenbacker**

8 **Inclusive of DOES 1 to 100**

9 123. The allegations set forth in paragraphs 1 through 122 are re-alleged and incor-
10 porated herein by reference.

11 124. At all times herein mentioned, FEHA, Government Code section 12940(a), (i),
12 (m), and (n), was in full force and effect and was binding on defendants. This statute
13 requires defendants to refrain from harassing any employee on the basis of a physical
14 disability. Within the time provided by law, plaintiff Liggins filed a complaint with the
15 DFEH, in full compliance with administrative requirements, and received a right-to-sue
16 letter.

17 125. Defendants engaged in various actions to harass plaintiff because of her disabil-
18 ity. Among other things, defendants and their supervisors made negative comments and
19 reported to the worker's compensation insurance company Plaintiff was never injured at
20 work.

21 126. Plaintiff believes and on that basis alleges that her disability was a substantial
22 motivating reason in defendants' termination of her employment.

23 127. As a proximate result of defendants' willful, knowing, and intentional harass-
24 ment, plaintiff has sustained and continues to sustain substantial losses of earnings and
25 other employment benefits.

26 128. As a proximate result of defendants' willful, knowing, and intentional harass-
27 ment, plaintiff has suffered and continues to suffer humiliation, emotional distress, and
28 physical and mental pain and anguish, all to her damage in a sum according to proof.

1 129. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
2 Plaintiff is at present unaware of the precise amounts of these expenses and fees and will
3 seek leave of court to amend this Complaint when the amounts are fully known.

4 130. Defendants' misconduct was committed intentionally, in a malicious,
5 despicable, oppressive manner, entitling plaintiff to punitive damages against
6 defendants.

7
8 **TWELFTH CAUSE OF ACTION**
9 **(Retaliation for Complaining of Discrimination and**
10 **Harassment on the Basis of Physical Disability)**
11 **Government Code § 12940(a), (i), (m), (n)—Against**
12 **Defendant Transfiguration Inclusive of DOES 1 to 100**

13 131. The allegations set forth in paragraphs 1 through 130 are re-alleged and incor-
14 porated herein by reference.

15 132. At all times herein mentioned, FEHA, Government Code section 12940(a), (i),
16 (m), and (n), was in full force and effect and was binding on defendant. This statute
17 requires defendant to refrain from retaliating against any employee on the basis of a
18 physical disability. Within the time provided by law, plaintiff Liggins filed a complaint
19 with the DFEH, in full compliance with administrative requirements, and received a
20 right-to-sue letter.

21 133. Defendant terminated plaintiff's employment in violation of FEHA's prohibi-
22 tion against retaliation on the basis of disability. Had plaintiff not been injured, she
23 would have retained her job for a substantially longer time and obtained benefits that
24 other employees who did not have physical disabilities did, in fact, receive.

25 134. Plaintiff believes and on that basis alleges that her disability was a substantial
26 motivating reason in defendant's termination of her employment.

27 135. As a proximate result of defendant's willful, knowing, and intentional retalia-
28 tion, plaintiff has sustained and continues to sustain substantial losses of earnings and

1 other employment benefits.

2 136. As a proximate result of defendant's willful, knowing, and intentional retalia-
3 tion, plaintiff has suffered and continues to suffer humiliation, emotional distress, and
4 physical and mental pain and anguish, all to her damage in a sum according to proof.

5 137. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees.
6 Plaintiff is at present unaware of the precise amounts of these expenses and fees and will
7 seek leave of court to amend this Complaint when the amounts are fully known.

8 138. Defendants' misconduct was committed intentionally, in a malicious,
9 despicable, oppressive manner, entitling plaintiff to punitive damages against defendant.

10
11 **THIRTEENTH CAUSE OF ACTION**

12 **(Intentional Infliction of Emotional Distress)—**

13 **Against All Defendants Inclusive of DOES 1 to 100**

14 139. The allegations set forth in paragraphs 1 through 138 are re-alleged and incor-
15 porated herein by reference.

16 140. Defendants' discriminatory, harassing, and retaliatory actions against plaintiff
17 constituted severe and outrageous misconduct and caused plaintiff extreme emotional
18 distress. Specifically, defendant Tang told Liggins she was "immoral" for being pregnant
19 and unmarried, and Tang called Liggins' unborn child "it" and banned her child from
20 campus.

21 141. Defendants had the intention of causing and/or recklessly disregarded the prob-
22 ability of causing emotional distress to plaintiff and did, in fact, cause emotional distress
23 to plaintiff. Defendants' misconduct caused plaintiff severe emotional distress, includ-
24 ing depression and anxiety.

25 142. As a proximate result of defendants' extreme and outrageous conduct, plaintiff
26 has suffered and continues to suffer severe emotional distress. Plaintiff has sustained
27 and continues to sustain substantial losses of earnings and other employment benefits as
28 a result of being emotionally distressed.

1 143. As a proximate result of defendants' extreme and outrageous conduct, plaintiff
2 has suffered and continues to suffer humiliation, emotional distress, and mental and
3 physical pain and anguish, all to her damage in a sum according to proof.

4 144. Defendants' misconduct was committed intentionally, in a malicious and op-
5 pressive manner, entitling plaintiff to punitive damages against defendants
6 Transfiguration, Tang and Rickenbacker.

7
8 **FOURTEENTH CAUSE OF ACTION**
9 **(Wrongful Termination of Employment in Violation of**
10 **Public Policy (FEHA, Labor Code § 1102.5))—Against**
11 **Defendant Transfiguration Inclusive of DOES 1 to 100**

12 145. The allegations set forth in paragraphs 1 through 144 are re-alleged and incor-
13 porated herein by reference.

14 146. At all times herein mentioned, FEHA and Labor Code § 1102.5, were in full
15 force and effect and was binding on defendants.

16 147. During plaintiff's employment with defendants, defendants, through its
17 supervisors, engaged in actions that had a negative impact on the treatment of pregnant
18 women.

19 148. Plaintiff Liggins was a qualified employee at the time of the termination of her
20 employment, she performed her job in an exemplary manner, and she very recently had
21 experienced a pregnancy. The reasons defendant gave for firing plaintiff were patently
22 false. Defendants intentionally discriminated against plaintiff in violation of the law
23 banning pregnancy discrimination.

24 149. Defendants, through their managers and supervisors, made a number of com-
25 ments to and about plaintiff Liggins that exhibited discriminatory motivations, inten-
26 tions, and consciousness.

27 150. On the basis of the above, plaintiff believes and alleges that her pregnancy was
28 a substantial motivating reason in defendants' termination of her employment.

1 151. As a proximate result of defendants' willful, knowing, and intentional miscon-
2 duct, plaintiff has sustained and continues to sustain substantial losses of earnings and
3 other employment benefits.

4 152. As a proximate result of defendants' willful, knowing, and intentional miscon-
5 duct, plaintiff has suffered and continues to suffer humiliation, emotional distress, and
6 mental and physical pain and anguish, all to her damage in a sum according to proof.

7 153. Defendant's misconduct was committed intentionally, in a malicious, oppres-
8 sive manner, entitling plaintiff to punitive damages against defendant Transfiguration.

9
10 **FIFTEENTH CAUSE OF ACTION**

11 **(Defamation (Civil Code §§ 45, 46))—**

12 **Against Defendants Archdiocese and Transfiguration**

13 **Inclusive of DOES 1 to 100**

14 154. The allegations set forth in paragraphs 1 through 153 are re-alleged and incor-
15 porated herein by reference.

16 155. Defendant falsely informed prospective employers and individuals other than
17 plaintiff that plaintiff was habitually late, absent, and unprepared, as well as a poor
18 teacher. This representation constituted defamation *per se*, imputing to plaintiff
19 loathsome actions and a loathsome reputation in her profession.

20 156. As a result, plaintiff has been injured in her profession and continues to be
21 injured in her profession. Plaintiff has sustained and continues to sustain losses of
22 earnings and other employment benefits.

23 157. As a proximate result of defendant's willful, knowing, and intentional false
24 representations about plaintiff, plaintiff has suffered and continues to suffer humiliation
25 and mental pain and anguish and other non-economic damages, all to her damage in a
26 sum according to proof.

27 158. Defendant's misconduct was done intentionally, in a malicious, despicable,
28 oppressive manner, entitling plaintiff to punitive damages against defendant

1 Transfiguration.

2
3 **SIXTEENTH CAUSE OF ACTION**
4 **(Compelled Self-Defamation (Civil Code §§ 45, 46))—**
5 **Against Defendants Archdiocese and Transfiguration**
6 **Inclusive of DOES 1 to 100**

7 159. The allegations set forth in paragraphs 1 through 158 are re-alleged and incor-
8 porated herein by reference.

9 160. Defendants falsely informed prospective employers and individuals other than
10 plaintiff that plaintiff was habitually late, absent, and unprepared, as well as a poor
11 teacher. This representation constituted defamation *per se*, imputing to plaintiff
12 loathsome actions and a loathsome reputation in her profession.

13 161. When defendants terminated plaintiff's employment, they knew that plaintiff
14 would be under a strong compulsion to repeat these comments to prospective employers
15 and other individuals. Plaintiff was and is under a compulsion to repeat defendants'
16 defamatory statements and has told prospective employers of those statements.

17 162. As a result, plaintiff has been injured in her profession and continues to be
18 injured in her profession. Plaintiff has sustained and continues to sustain losses of earn-
19 ings and other employment benefits.

20 163. As a proximate result of defendants' willful, knowing, and intentional false rep-
21 resentations about plaintiff, plaintiff has suffered and continues to suffer humiliation and
22 mental pain and anguish and other non-economic damages, all to her damage in a sum
23 according to proof.

24 164. Defendants' misconduct was done intentionally, in a malicious, despicable,
25 oppressive manner, entitling plaintiff to punitive damages against defendant
26 Transfiguration.

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SEVENTEENTH CAUSE OF ACTION
(“Blacklisting” in Violation of Labor Code §1050, et seq.) —
Against Defendants Archdiocese and Transfiguration
Inclusive of DOES 1 to 100

165. The allegations set forth in paragraphs 1 through 164 are re-alleged and incorporated herein by reference.

166. Under California Labor Code § 1050, et. Seq. an employee is permitted to pursue a civil claim against his or her former employer for misrepresentations made after he or she has left employment that preclude him or her from finding future employment.

167. Defendants actively sought to prevent plaintiff from finding future employment by falsely representing to potential future employers that plaintiff was habitually late, absent, and unprepared, as well as a poor teacher.

168. As a legal and proximate result of Defendants’ actions, plaintiff has suffered special and general damages in an amount to be proven.

169. Defendant’s conduct was extremely reckless and capricious and subjected cause plaintiff to cruel and unjust hardships. Defendant’s recklessness was despicable and performed in conscious disregard of plaintiff’s rights. Defendants knew their conduct was illegal, unconscionable, malicious, and would cause damage to plaintiff. Furthermore, the conduct on the part of Defendants was intentional, oppressive, fraudulent, malicious, and performed in a wanton effort to deprive plaintiff of her fundamental rights in violation of Civil Code Section 3294(c)(1) and (2). Therefore, plaintiff is entitled to punitive damages in an amount to be proven at the time of trial.

WHEREFORE, plaintiff, Kourtney Liggins, prays for judgment against defendants as follows:

1. For general and special damages according to proof;
2. For exemplary damages according to proof;
3. For pre-judgment and post-judgment interest on all damages awarded;

- 1 4. For reasonable attorneys' fees;
2 5. For costs of suit incurred;
3 6. For such other and further relief as the Court may deem just and proper.
4

5 ADDITIONALLY, plaintiff, Kourtney Liggins, demands trial of this matter by
6 jury.
7

8 Dated: May 23, 2014

SHEGERIAN & ASSOCIATES, INC.

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10 By: 
11 Carney R. Shegerian, Esq.

12 Attorneys for Plaintiff,
13 KOURTNEY LIGGINS
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