

Max Overland

Subject: FW: FOR DISTRIBUTION PRIOR TO BOARD MEETING: Updated:: San Jose/Silicon Valley NAACP-Addressing Systemic Racial Bias in the Investigation of Valley Water CEO Rick Callender

Attachments: Collins v. Callender and Valley Water (smaller).pdf; Oppenheimer Report - Part 1.pdf; Pryor v. Callender verified filed complaint.pdf

From: Rebecca Eisenberg <Reisenberg@valleywater.org>
Sent: Sunday, March 23, 2025 9:09 PM
To: Clerk of the Board <clerkoftheboard@valleywater.org>; Candice Kwok-Smith <ckwok-smith@valleywater.org>
Cc: Rebecca Eisenberg <Reisenberg@valleywater.org>; Carlos Orellana <COrellana@valleywater.org>
Subject: FOR DISTRIBUTION PRIOR TO BOARD MEETING: Updated:: San Jose/Silicon Valley NAACP-Addressing Systemic Racial Bias in the Investigation of Valley Water CEO Rick Callender

Hello Candjce/Clerk:

I am not sure if you distributed my email to my colleagues yet? If not, can you please include this most recent version that includes the lawsuit for sexual harassment, sex discrimination, racial harassment, racial discrimination, defamation, retaliation, whistleblower retaliation and other counts on March 20, 2025? The verified complaint including case number and proof of filing is attached.

I request that these items be sent to each director individually as Sean Allen's email was, and that the forwarding include the entire attachments, which I present in full for the public record, prior to this upcoming Board Meeting on Tuesday, March 25.

Finally, because these materials are relevant to the "pattern and practice" required element of hostile workplace sexual harassment, I believe that they should be shared with the investigator, and request confirmation that they have been.

Thank you,

Rebecca

From: Rebecca Eisenberg <Reisenberg@valleywater.org>
Sent: Friday, March 21, 2025 3:47 PM
To: Sean Allen <sallen6444@yahoo.com>
Cc: Clerk of the Board <clerkoftheboard@valleywater.org>
Subject: Fw: San Jose/Silicon Valley NAACP-Addressing Systemic Racial Bias in the Investigation of Valley Water CEO Rick Callender

Dear Mr. Allen,

I also call your attention to the lawsuit against Rick Callender and the NAACP for sex and race discrimination that I am told was filed on March 20 in Sacramento County. Complaint attached.

Best regards,

Rebecca
415-235-8078

From: Rebecca Eisenberg <Reisenberg@valleywater.org>
Sent: Wednesday, March 19, 2025 1:03 PM
To: Sean Allen <sallen6444@yahoo.com>
Cc: Rebecca Eisenberg <rebecca@rebecca4water.com>; Rebecca Eisenberg <Reisenberg@valleywater.org>
Subject: Re: San Jose/Silicon Valley NAACP-Addressing Systemic Racial Bias in the Investigation of Valley Water CEO Rick Callender

Dear Sean,

I hope you are well. As you may remember, I supported your campaign for sheriff. It is nice to hear from you, albeit I would have preferred under happier circumstances. I congratulate you on your role as president of the local chapter of the NAACP.

Had you reached out before sending this letter, I would have welcomed an opportunity to discuss this matter with you directly. In particular, I would have let you know that your branch of the NAACP has made accusations of racism in this situation several times in the past, including every time that staff and directors have filed complaints of sexual harassment, assault, and corruption against Rick Callender. Unfortunately, complaints of sexual harassment and other discrimination against women and sexual misconduct have been filed against Mr. Callender dozens of times during his almost 25-years at Valley Water. There are hundreds, maybe thousands, of pages of written evidence supporting the complaints of the victims. Sometimes these complaints have led to lawsuits. Other times they have led to investigative reports demanding that Mr. Callender's employment be terminated. Some of these victims are women of color.

Virtually every time a victim spoken out, or a female Board Director tries to seek protection for the victims as is required by law and human decency, Mr. Callender has defended himself by claiming racism, turning the victims into the alleged wrongdoers and the allies into racists. Your letter is virtually identical to previous letters made against my female predecessors, which ultimately drove them out of office, allowing the actual wrongdoer to continue his harassment and abuse. This is a cycle that I and many others have for years hoped would have come to an end.

There is a lot of documented evidence of this history, and much of it is available on this public access drive:

<https://drive.google.com/drive/u/1/folders/1m6B3D7wBBNrJpx1eZhovi2AcZCWyYY6F>

For convenience, I attach the most recent investigation of this matter to this email, the Oppenheimer Report. Unfortunately, the Oppenheimer Report is the last time that Valley Water followed standard practice in having third party investigators conduct and report on investigations. Since that time, all Valley Water investigations have been written by biased hired attorneys, "using" information collected by investigators. That includes the report against me. If you read what I was censured for, you will see I was censured almost entirely for speaking out against sexism and sexual harassment at Valley Water. If you do not have the executive summaries, they are in the folder linked above, and I would be happy to provide them directly to you if you prefer.

I also attach the lawsuit filed by one of Mr. Callender's victims in 2009. I am not allowed to give you the details of the complaints currently being "investigated" given the fact that Rick Callender has already filed a lawsuit against me for speaking out against corruption and misogyny at Valley Water (not to mention that I have grave concerns with the investigation), but I do attach, below, the statements made by the victims' labor unions describing the harm to victims and the ongoing retaliation by Mr. Callender. I discuss much of this on my blog at rle.medium.com. I stand by my allyship with these and other women (and some men), including black individuals, who have been abused for decades by the man you protect.

As you point out, and with which I agree, history is rife with false accusations of sexual misconduct against black men, and those false accusations have led to egregious acts of torture, murder, and other injustice. As an anti-racist and a human being with ethics and human decency, I do not deny the impacts of historic and ongoing racism. That said, sometimes accusations against black men are truthful, and sometimes the victims are BIPOC themselves (see, e.g., Anita Hill). We can take a stand against racism while also taking a stand against misogyny. These things are not mutually exclusive. After all, half of all black people are female (or NB and/or LGBTQia2S+).

How can the NAACP serve our shared goals of equality, dignity, and social justice, without recognizing the grave harm of patriarchy and misogyny, and the specific intersectional oppression of black women? As I mentioned, some of Mr. Callender's victims are BIPOC. There even are complaints against him being made by members of the NAACP, as I imagine you are aware.

E.g. <https://youtu.be/5iFbsPTYs1w?si=JNnsaHrM6pgBH1jE>

With these thoughts in mind, I hope you will consider taking a closer look at the context surrounding your accusations. I believe that this situation is worthy of a dialogue and conversation rather than accusations slung back and forth, especially by individuals and organizations that share common values and goals.

I am happy to discuss this directly with you at any time to clear up matters professionally and amicably. My personal cell number is below, and I welcome hearing from you at your convenience. I believe that we are allies, not enemies, and I am confident that with greater understanding of the context and facts, you may reach that conclusion as well.

Best regards,

Rebecca

Rebecca Eisenberg, Esq.
Director, District 7
Santa Clara Valley Water District
www.valleywater.org
415-235-8078
reisenberg@valleywater.org

FIRST PUBLIC UNION STATEMENT: VALLEY WATER REGULAR BOARD MEETING TUESDAY, November 26, 2024 Agenda Item 3.3, Time Open for Public Comment on any Item not on the Agenda.

- *AFSCME Local 101 is here tonight to publicly request that the Board take action to protect its members vis a vis an ongoing investigation..*
- *As the Board knows, an AFSCME-represented employee has made several serious allegations against a management official.*
- *We understand that these are allegations and that there have been no factual findings and we agree the official has the right to due process before any actions are taken.*
- *However, given the level of authority that the management official holds in the agency, their possible contact with the complainant and witnesses, and the seriousness of these allegations, we believe that it is improper for the official to continue working. Simply, any presence at the workplace of the person being investigated during the investigation creates a potential chilling effect towards AFSCME members .*
- *Additionally, their presence while the investigation is being conducted could harm the integrity of the investigation as it may alter and interfere with employees providing truthful and accurate information.*
- *Many of those who will be involved in this investigation, including the accuser, are our members and it is our obligation to protect them and ensure that they have the right to participate in this process without the fear of intimidation and retaliation, and even the perception of such conduct.*
- *In my years with the AFCME, representing valley water, the standard practice for Valley Water when there are serious allegations of this sort is to put the accused on administrative leave while the investigation is in-progress . We see no reason why that practice should be deviated from in this instance.*
- *In fact, we believe that it is even more important in this circumstance because the individual's stature in the agency and the power that they hold over those who will be critical parts of the investigation.*
- *This is the best course of action for the employees involved and the Agency, and honestly, we believe it is also in the interest of the management official to ensure that there is a thorough and fair investigation that all, including the public, can have confidence in the outcome.*
- *We believe this is a crucial action that must be taken immediately and urge you to do so.*

SECOND PUBLIC UNION STATEMENT: Valley Water Regular Board Meeting Tuesday, December 10, 2024. Agenda Item 3.3, Time Open for Public Comment on any Item not on the Agenda.

Good afternoon, Board. Welcome Director Ballard.

I am Salam Baqleh the VP of the Employees Association here today to reiterate our business agent's statement from the last Board meeting. As Abul stated last time, we believe that the executive management official who is under investigation should be placed on administrative leave pending the outcome of this investigation.

Our member has brought many serious allegations against a member of executive leadership. Given the authority this person has over our member and all of the potential witnesses, we believe that it is improper for the official to continue working here during the investigation.

Many of those who will be involved in this investigation are our members and it is our obligation to protect them and ensure that they have the right to participate in this process without the fear of intimidation and retaliation. We understand that some of the allegations already include retaliation for filing this very complaint. Not to mention, if the allegations are substantiated, Valley Water would have knowingly allowed continued contact between our member and the person they have made serious accusations against. Given the amount of evidence turned over to Valley Water already, not putting this person on leave would be a very risky decision. Ultimately, not taking this course of action is not only incredibly harmful to our members but also Valley Water.

In my 9 years with Valley Water, many of them conducting investigations myself as the EEO Program Administrator, I know that the standard practice for Valley Water — and indeed all agencies — when there are serious allegations of this sort. The practice is, and has always been, to put the accused on administrative leave until the investigation is complete. We see no reason why that practice should be deviated from in this instance. In fact, I have not heard of allegations this severe in all of my time here. The allegations, if proven, span many years and paint a picture of a pattern of behavior that is simply unacceptable in the workplace. Indeed, the allegations are seemingly worse than those lodged against an executive official at Metropolitan Water District, and that official is on leave. We see no reason for VW to deviate from its own long standing practice which is also the industry best practice.

Finally, I want to say that even though Labor Relations called me to give me a “heads up” that our member was going to be disciplined after they filed their complaint, and even though HR made it a point to speak with my colleague union President Robert Ewing in that very pre-function lobby after our business agent made a statement to relay that she was “disappointed” in our union's statement, we will not stop advocating for the rights and safety of our members.

We hope to not have to return to the next meeting to make yet another statement but find that it would be a breach of our duty to our members to not continue to advocate for this course of action.

Thank you for your time.

From: Sean Allen <sallen6444@yahoo.com>

Sent: Tuesday, March 18, 2025 1:53 PM

To: John Varela <jvarela@valleywater.org>; Shiloh Ballard <SBallard@valleywater.org>; Richard Santos <rsantos@valleywater.org>; Jim Beall <JBeall@valleywater.org>; Nai Hsueh <NHsueh@valleywater.org>; Tony Estremera <TEstremera@valleywater.org>; Rebecca Eisenberg <Reisenberg@valleywater.org>

Cc: Brandon Pho <brandon@sanjosespotlight.com>; Carla <xicanamagic@hotmail.com>; Pat M <p.marshall81@ymail.com>; Lasha Heard <heardlasha22@gmail.com>; Sharon Jackson <mamad2ndchance@gmail.com>; Candice Brooks <brookscandice14@gmail.com>; James Staten <jamesastaten@gmail.com>; firebrand.dr@gmail.com <firebrand.dr@gmail.com>

Subject: San Jose/Silicon Valley NAACP-Addressing Systemic Racial Bias in the Investigation of Valley Water CEO Rick Callender

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***** This email originated from outside of Valley Water. Do not click links or open attachments unless you recognize the sender and know the content is safe. *****

March 18, 2025

To:

Valley Water Board

5750 Almaden Expressway, San Jose, CA 95118

From: San Jose/Silicon Valley NAACP

205 E. Alma Ave. Suite D-10

San Jose, CA 95112

Phone: (408)898-6985

Dear Valley Water Board Members,

I am writing on behalf of the San Jose/Silicon Valley NAACP to formally express our deep concerns regarding the ongoing investigation into Valley Water CEO Rick Callender. This situation raises serious issues of systemic racial bias and discrimination, particularly in how Black leaders are treated within government institutions.

The actions of Valley Water Board Director Rebecca Eisenberg, especially her public assertions regarding the nature of the allegations against Callender, demonstrate a troubling disregard for due process and reflect an implicit bias that mirrors a historical pattern of discrimination against Black men in leadership

positions. Eisenberg’s decision to publicly characterize the accusations against Callender as “sexual harassment” before the investigation’s completion not only undermines the integrity of the process but also contributes to a broader issue of disproportionate accusations against Black men in supervisory roles.

The Silicon Valley NAACP has noted a concerning trend among local government entities that utilize false or exaggerated allegations to forcibly remove Black leaders from their positions. The accusations leveled against Callender fit within a national pattern that has been documented by the Equal Employment Opportunity Commission (EEOC), which has found that Black men are disproportionately subjected to workplace discrimination, including wrongful accusations of misconduct. A 2017 study published in the Harvard Business Review revealed that Black men in leadership roles face allegations of misconduct and disciplinary actions at higher rates than their white counterparts, often based on weak or non-existent evidence. Furthermore, a 2019 Government Accountability Office (GAO) report indicated that Black federal employees are investigated at significantly higher rates compared to white employees for similar accusations, underscoring the systemic bias present in government workplaces.

Historical context further illustrates the wrongful criminalization of Black men, fueled by harmful stereotypes that depict them as hypersexual and dangerous. From the Scottsboro Boys case to the tragic lynching of Emmett Till, false allegations of sexual misconduct have long been used to oppress and disempower Black men. This pattern continues today, where Black men in positions of authority are disproportionately accused of misconduct, often without substantial evidence. Legal scholars, including Kimberlé Crenshaw, have highlighted how these racialized perceptions shape workplace dynamics, resulting in harsher scrutiny of Black men compared to their white peers.

Eisenberg’s behavior raises serious concerns regarding her motives and the integrity of the investigation. In March 2024, she was formally censured by the Valley Water Board for violating ethical standards, including mishandling confidential information and engaging in discriminatory harassment. An independent investigation substantiated eight complaints against her, casting doubt on her credibility and impartiality. Additionally, her admission to meeting with one of the alleged victims while serving on the board raises ethical and legal concerns about her influence on the investigation.

Among the seven Valley Water Board members, Eisenberg is the only one continuing to make public statements about the investigation, signaling her explicit bias against Callender. Her actions not only undermine due process but also suggest retaliatory intent rather than a commitment to justice. Callender himself has denied the allegations, stating, “Eisenberg is plain old lying. She would not even have access to any of the facts,” underscoring the need for a fair and objective investigation free from political motivations.

Callender’s case is emblematic of a systemic effort to prevent Black men from ascending to or maintaining leadership roles in government institutions. The deliberate targeting of Black executives through misconduct allegations serves to discredit Black leadership, weaponize policy against those who challenge discrimination, and block career advancement opportunities. Such targeted accusations not only damage reputations but also create barriers for Black men seeking future employment.

In conclusion, the accusations against Rick Callender and the actions of Rebecca Eisenberg must be viewed within the broader context of systemic discrimination against Black men in leadership. While allegations of misconduct deserve serious consideration, they must be handled with impartiality and due process, free from racial bias or personal vendettas.

The Valley Water Board must ensure that this investigation is conducted fairly and transparently, free from any personal agendas or biases. The San Jose/Silicon Valley NAACP is committed to supporting efforts that uphold justice and equity in our community, and we expect the Board to take decisive action in addressing these critical issues.

Thank you for your attention to this matter.

Sincerely,

Sean Allen
President
San Jose/Silicon Valley NAACP

Sent from my iPhone

UCS

1 KAMAU EDWARDS (SBN 230826)
2 4096 Piedmont Avenue
3 Suite 174
4 Oakland, CA 94611
5 Telephone: (415) 271-2093

6 Attorney for Plaintiff

7 IN THE SUPERIOR COURT IN THE STATE OF CALIFORNIA
8 FOR THE COUNTY OF SANTA CLARA

FILED Santa Clara Co
07/27/09 11:16am
David H. Yamasaki
Chief Executive Office
By: saancawco DTSC/VD
R#200900081535
OK \$300.00
TL \$300.00
Case: 1-09-CV-148445-9

10 JESSICA COLLINS,
11 Plaintiff,

12 vs.

13 SANTA CLARA VALLEY WATER
14 DISTRICT, et. al., ENRICO CALLENDER
15 (a.k.a. RICK CALLENDER), an individual,
16 and DOES 1 through 50, inclusive,
17 Defendant.

Case No.: 109CV148445

COMPLAINT:

1. Sexual Harassment and Hostile Work Environment [Gov. Code § 12940(j)(1)];
2. Failure to Prevent Harassment and Discrimination [Gov. Code §§ 12940(j)(3) & (k)];
3. Retaliation [Gov. Code § 12940(h)];
4. Gender Violence [Civil Code §52.4];
5. Assault;
6. Battery;
7. Intentional Infliction of Emotional Distress;
8. Defamation.

JURY TRIAL REQUESTED

1 Plaintiff Jessica Collins complains and alleges as follows:

2 **PARTIES**

3 1. Plaintiff Jessica Collins ("Plaintiff") is an individual female and is a resident of the
4 County of Alameda, State of California. At all times relevant hereto, Plaintiff was employed in
5 the County of Santa Clara.

6 2. Plaintiff is informed and believes and thereon alleges that the Santa Clara Valley Water
7 District ("Defendant Employer") is an employer within the definition of California Government
8 Code § 12940(j)(4)(A).

9 3. Defendant Enrico Callender ("Callender") is a male and is, and was at all times material
10 herein, employed by the Defendant Employer. Callender is a "supervisor" within the meaning of
11 California Government Code § 12926(r), is the alleged harasser and a retaliator herein, and
12 exercised substantial discretionary authority over significant aspects of Defendant Employer's
13 business.

14 4. The true names and capacities, whether individual, corporate, associate, or otherwise, of
15 the Defendants named herein as Does 1 through 50, inclusive, are unknown to Plaintiff and
16 therefore said Defendants are sued by such fictitious names. Plaintiff will pray leave to amend
17 this complaint to insert the true names and capacities of said Defendants when the same have
18 become known to Plaintiff. Plaintiff California Government Code is informed and believes and
19 based thereon alleges that said unknown Defendants, and each of them, individually and
20 collectively, is responsible for the wrongful acts alleged herein and, therefore, are liable to
21 Plaintiff as alleged herein. Unless otherwise indicated, each Defendant was acting within the
22 course and scope of said agency and/or employment with the knowledge and/or consent of said
23 co-Defendant.

24 **JURISDICTION**

25 5. This Court has jurisdiction over this action under California Government Code, § 12965,
26 subdivision (b) and California Civil Code §52.1.

27 ///
28 ///

VENUE

6. The unlawful employment practices alleged herein occurred within the County of Santa Clara. Venue is proper in the County of Santa Clara.

ALLEGATIONS RELEVANT TO ALL CAUSES OF ACTION

7. Plaintiff, a female, was and is an employee of Defendant Employer commencing on or about January 5, 2006.

8. Defendant Employer is an employer within the definition of California Government Code §12940(j)(4)(A).

9. Callender is a supervisor of Defendant Employer, as such person is defined by California Government Code §12926(r). Callender exercised substantial discretionary authority over significant aspects of Defendant Employer's Office of Government and Public Relations, including without limitation, managerial discretion of, or participation in, the hiring, firing, supervising, scheduling, assigning of work, promoting, or disciplining of other employees. Callender's supervisory responsibilities include, or have included, managerial oversight of the Office of Government and Public Relations. In doing the acts alleged herein, and at all times material herein, Callender was acting in his supervisory capacity with Defendant Employer.

10. On or about January 5, 2006, Plaintiff began working at SCVWD as a legal analyst for the Office of the District Counsel. Plaintiff had a one-year probationary period, after which time she became a regular employee.

11. Plaintiff first met Callender on or about the summer of 2006 through the district softball league. Callender was on the same team as Plaintiff, but their contact and communications was limited to on the field and an occasional exchange of greetings at the job site.

12. On or about December of 2006 Callender encountered Plaintiff visibly upset and inquired as to why. Plaintiff initially avoided revealing the reason for her state, but after repeated inquiries she informed him that she had recently broken up with her boyfriend.

13. On or about January of 2007, Callender invited Plaintiff to go snowboarding and when Plaintiff said no, Callender offered to pay for all expenses. Feeling uncomfortable with the situation, and not wanting to give Callender the impression that she was interested in dating him,

1 Plaintiff wrote Callender an email expressing her discomfort with the situation and expressed
2 that it seemed too much like a "date" and kindly rejected his offer. Callender responded with
3 assurances that he was not asking Plaintiff on a date. Callender in fact mocked the notion that his
4 invitation was a "date" and stated that he had no romantic interest in Plaintiff. Callender went on
5 to state that he has a policy against dating anyone in the workplace. Callender said he only
6 offered to pay because he knew he made more money than Plaintiff and said that it was just a
7 friendly gesture.

8 14. On or about February 2007, Callender asked Plaintiff to volunteer with the San Jose
9 branch of the National Association for the Advancement of Colored People (NAACP), of which
10 he was president at the time. Having accepted Callender's previous statement that he had no
11 romantic interest in Plaintiff and having a background in community outreach and volunteerism,
12 Plaintiff agreed to volunteer as a counselor for the youth academy and as an assistant for the
13 annual fundraising gala. Plaintiff was one of a number of SCVWD employees that volunteered
14 for the San Jose branch of the NAACP.

15 15. Through volunteering with the NAACP, Plaintiff had numerous occasions of interacting
16 with Callender. Callender often inquired about Plaintiff's personal life, to which Plaintiff limited
17 her responses. Callender would occasionally discuss his personal life and make reference to
18 women he was dating and ask for advice and seek opinions. Plaintiff was always polite, but
19 limited in her responses and tried not to engage on a personal level. Callender also inquired
20 about her professional goals and interests. Plaintiff indicated that she did not want to continue
21 working in the legal field and that she was thinking about making a career change.

22 16. On or about May 2007, Callender sent Plaintiff an email stating "I would love you to go
23 with me," with a forwarded message below containing details of a fundraising dinner for Barack
24 Obama, with tickets listed at \$1,000 per person/with a guest. Plaintiff felt very uncomfortable
25 with the invitation and with the high cost of the ticket. Plaintiff did not respond to the email.
26 After some time went by Plaintiff received a phone call from Callender, which she did not
27 answer, and received a subsequent voicemail saying that he had "accidentally" sent her that
28

1 email and that he had meant to send it to another Jessica he knows. Plaintiff thought that was
2 odd, but was relieved that he was not inviting her.

3 17. On or about May 2007, Callender informed Plaintiff of an upcoming opening with the
4 public relations unit. Shortly thereafter, Callender offered to introduce Plaintiff to Susan Siravo
5 (Siravo), the public relations unit manager, who Callender oversaw as the Assistant Officer of
6 the Office of Government and Public Relations (OGPR). Callender then informed Plaintiff of a
7 temporary rotational opportunity and strongly encouraged Plaintiff to apply. Callender told
8 Plaintiff how highly he regarded her professionally and that he thought the position would be a
9 good fit.

10 18. On or about May 2007, Plaintiff applied and interviewed for the temporary rotation
11 position with the public relations unit. The rotation was set to last for three months after which
12 time there would be an open recruitment of internal staff for a full time position. Plaintiff was
13 selected for the three month rotational opportunity. At the end of the three month rotation,
14 Plaintiff applied for the full time Public Information Representative position with OGPR under
15 the management of Siravo. Plaintiff competed with other employees for the position and was
16 hired on or about September 2007. Although Plaintiff had completed her one year of
17 probationary period as a district employee, she had to complete another six months as part of her
18 transfer to the new position. Although she couldn't be terminated at-will, she could be
19 transferred to another unit.

20 19. Once Plaintiff began working within OGPR, she made even more of an attempt to keep
21 her interaction with Callender professional. Callender did continue to attempt to engage Plaintiff
22 on a personal level, talking about his personal life and inquiring about hers. Plaintiff refrained
23 from discussing details of her personal life with Callender.

24 **Sexual Harassment, Hostile Work Environment, and Retaliation**

25 20. From September 2007 through February 2008, Callender subject Plaintiff to unwelcome
26 sexual harassment, which harassment was based on Plaintiff's gender, by making sexually
27 inappropriate statements, unwanted sexual advances, by committing assault and battery against
28 the Plaintiff.

1 21. Callender knew or should have known that Plaintiff was on probationary status with
2 OGPR and that she did not want to be transferred because she considered this position as a career
3 changing position because she no longer wanted to work in the legal field. Callender also knew
4 or should have known that in his capacity as Assistant Officer of OGPR, his role was to provide
5 mentorship, guidance and protection from perceived hostilities.

6 22. On or about September 2007, Callender's executive assistant, Michelle Critchlow
7 (Critchlow) called Plaintiff and asked her if she would like to work at a conference at Chico state
8 as a district representative. Plaintiff told her that she would be interested and Critchlow said that
9 Callender would be attending as well because it was his alma mater.

10 23. During the two-day trip, on or about September 2007, Callender made sexual advances
11 toward Plaintiff. Upon arriving in Chico and after checking into their hotel, Plaintiff and
12 Callender went to have dinner. After dinner, Callender insisted on taking plaintiff to a number of
13 his "favorite spots" that he used to go to during his college years. Callender kept insisting on
14 buying drinks and hanging out. Upon returning to the hotel, after exiting the elevator, Callender
15 leaned forward and kissed Plaintiff on the mouth. Plaintiff immediately pulled away and stepped
16 back and Callender made a second attempt to kiss her. Plaintiff again pulled back, said no and
17 ran down the hall to her room.

18 24. Plaintiff was incredibly distraught over the incident and was uncertain of how to handle
19 it. The following day Plaintiff and Callender were scheduled to work at the event all day, sitting
20 side-by-side at a booth. Plaintiff was fearful of confronting Callender and having to be with him
21 all day so she decided not to address it in hopes that he would realize his mistake and never do
22 something like that again. When she and Callender got in the car that morning, he said nothing to
23 her about the incident from the night prior. Callender did comment on her physical appearance,
24 saying how she looked very nice, but that she always does and then commented on how nice her
25 pedicure was. During the event, Callender "surprised her" with a Chico State coffee holder he
26 bought as a memento of their trip.

27 25. Throughout the following months, Callender continued comment on Plaintiff's
28 appearance. He would often say how nice she looked and how he like what she was wearing,

1 making her extremely uncomfortable. During this time he also invited her to go to Napa,
2 California with him, saying that he loves to just get a limo and go wine tasting there for a day
3 and that he'd love for her to join him. Plaintiff declined his invitation.

4 26. Also, during this time period Callender continued to talk about his personal life and
5 made sexually explicit remarks about women he was dating. He made specific references to a
6 girl he was dating having had sex with her co-workers and admitting it to him.

7 27. Callender told Plaintiff of another young woman who used to work at SCVWD that was
8 a daughter of a woman who worked at the district. He talked about how he took this young
9 woman on a trip with him and said those are the kinds of things that he likes to do.

10 28. On or about November 2007 Callender told Plaintiff that his "right hand" person,
11 Candice Kwok-Smith (Kwok-Smith), would be going on maternity leave in December and that
12 he would need Plaintiff to work closely with him and take over some of her roles. He made it a
13 point to emphasize how closely they would be working together. Kwok-Smith was at a higher
14 pay grade and step level than Plaintiff. Callender told Plaintiff that because she would be
15 working outside of her class that he would make sure she got a temporary promotion.

16 29. On or about December 2007 Callender sent Plaintiff a text message which read "I'd love
17 for you to have drinks with me this week." Plaintiff was extremely uncomfortable and chose not
18 to respond. Again, after some time went by he sent her another text saying that he had text her on
19 accident and that he had meant to text another Jessica. At this point, based upon his sexual
20 advances, Plaintiff no longer believed him and felt that he was in a sense "fishing" to see if she
21 would say yes and when she did not respond he would retract his invitation to cover for himself.
22 This led Plaintiff to believe that the previous similar invitation via email was another "fishing"
23 attempt. Plaintiff was with a friend at the time she received the text and showed her the message.

24 30. During this time period Plaintiff began to notice a pattern with Callender. Callender
25 would be very nice to her for a period of time, paying her compliments both personally and
26 professionally, building up to a point when he would make an advance, whether it be through
27 inviting her to Napa or texting her to have drinks. After being rebuffed by Plaintiff, Callender's
28 demeanor would change. He would become hostile toward her. He would talk down to her and

1 demean her. He would question her work product. He would make statements to other employees
2 about her being unprofessional. That pattern would go on for a while until he would start to be
3 nice again, building up to his next advance.

4 31. During this time period, Callender made numerous comments about how powerful his
5 position was at SCVWD. Our chief executive officer at the time was retiring and was replaced
6 by a former SCVWD employee, Olga Martin Steele (Martin Steele). On numerous occasions
7 Callender bragged that he was the one who got Martin Steele the job. Callender bragged about
8 how close he was with the Board of Directors, implying that he influenced their decision to hire
9 Martin Steele. Callender often talked about his power and influence, both at SCVWD and as
10 president of the local NAACP. Callender made statements about how people needed him more
11 than he needed them and about how he would "take them out" and "have their jobs taken away
12 from them." He made references to former employee Mike DeMarco and bragged about how he
13 took his job away from him and got him transferred. He also bragged about how he took over the
14 communications unit, disbanded it and brought public relations under his control.

15 32. On or about January 2008 Plaintiff was working very closely with Callender on both
16 AB2212 and the budget process. He was becoming increasingly hostile toward her at times
17 during this period. He would berate and belittle her and her work product, although she received
18 praise from others. On numerous occasions Plaintiff had to stay late in order to meet deadlines.
19 Plaintiff never received compensation for working outside of her class and was afraid to ask
20 about or pursue the temporary promotion because she feared that Callender was trying to create a
21 quid pro quo arrangement with her.

22 33. On one evening when Plaintiff was working late Callender called her to check on her. He
23 expressed how bad he felt that she had to be there so late and that he was worried about her
24 driving home so late. Plaintiff stated that she was fine and that she just wanted to finish her work
25 and go home. Callender then called back and offered to get her a hotel room for the night
26 because he was so worried about her having to drive all the way back to Oakland so late. He
27 stated that he would love to take her out for drinks as well. When Plaintiff said no, he stated that
28 he's not saying he has to stay there with her, but that he wouldn't feel right if anything happened

1 to her. Plaintiff assured him that she was fine to drive and again stated that she just wanted to
2 finish and go home. Callender proceeded to call back every 15-20 minutes trying to get her to
3 accept his hotel room offer. Finally Plaintiff stopped answering his phone calls.

4 34. After this incident Callender made comments about Plaintiff's work performance to
5 Siravo and co-workers. Callender told Plaintiff that he was going to have Meenakshi Ganjoo take
6 over working on the budget so that Plaintiff could focus solely on AB2212. He never mentioned
7 anything to Plaintiff about taking away her budget role for poor performance, however he made
8 such statements to others. Plaintiff, however, had been receiving praise from the Budget
9 Coordinator, Agnes Lee (Lee), for doing such a good job. Lee had apparently told Callender
10 what a great job Plaintiff was doing, but Callender never passed that information on to Plaintiff.
11 Lee mentioned it directly to Plaintiff after she found out Plaintiff would no longer be working on
12 the budget.

13 35. Plaintiff began getting ocular migraines during time period. The ocular migraines would
14 cause her to lose her vision for 15-20 minutes at a time, followed by severe headaches. Plaintiff's
15 doctor told her that it was likely the result of extreme stress. Plaintiff's health also began to
16 suffer. She became sick a number of times during this period.

17 36. On or about February 2008 Plaintiff was meeting with Siravo regarding work when the
18 subject of working with Callender came up. Plaintiff complained about his poor treatment of her
19 and about how she felt that he was treating her unfairly. Siravo commented that she noticed that
20 Plaintiff was being treated differently and asked why Plaintiff thought that might be. Siravo then
21 asked if he had ever "hit on" Plaintiff. At that time Plaintiff broke down crying and explained to
22 Siravo some of the things that had been happening to her. As a manager, Siravo acted
23 appropriately and contacted the SCVWD EEO officer Debra Dake and that is when the
24 complaint was filed by Plaintiff and the investigation commenced.

25 **Retaliation**

26 37. After the sexual harassment complaint had been filed, Plaintiff was told to go back to
27 work and act like everything was normal. She was told that she would need to continue to work
28 with Callender as though nothing was wrong until they could determine how they were going to

1 proceed with the complaint. For approximately one week Plaintiff had to continue to interact
2 with Callender, go to meetings with him and be in one-on-one situations with him. This caused
3 Plaintiff incredible distress.

4 38. Plaintiff had not mentioned the sexual harassment to anyone prior because she was
5 extremely fearful of Callender's power and influence at SCVWD. In filing her complaint she
6 expressed these concerns to the investigators. She reported Callender's claims of power and
7 influence over the Board of Directors and the new CEO. She also indicated that she was fearful
8 that nothing would happen to Callender. That she hadn't wanted to file a complaint because she
9 felt he would be the one protected and then be subjected to retaliation by him. She expressed her
10 concern that her career would suffer as a result of coming forward and that she had planned on
11 trying to find another job and then reporting him to SCVWD because then he couldn't come after
12 her as he had done to others.

13 39. After the EEO office determined that a full investigation would need to be done and that
14 Plaintiff had a viable claim against Callender, they informed her that he had been instructed not
15 to come into work unless it was absolutely necessary. They also said that he was to have no
16 contact with her whatsoever and that she would be protected during this process. For
17 approximately one month, Callender proceeded to ignore the instructions of the EEO and came
18 to work almost every day. He made it a point to make his presence known by talking more
19 loudly than he ever had in the past and by laughing as he walked by her cubicle area. On the days
20 when Callender would come into the office against the orders not to, Plaintiff would check his
21 Callender. She found that he was coming into the office for things like a "phone conference,"
22 which could have been done remotely. On numerous occasions, when Plaintiff was the last to
23 leave, he was still present. This made Plaintiff extremely uncomfortable and left her feeling
24 unprotected.

25 40. Plaintiff reported his presence to Siravo and on at least four occasions Siravo reported
26 this pattern of violating the order to the Office of the District Counsel. Apparently Callender was
27 warned a number of times before they finally told him that he couldn't come into the office
28 without getting permission in advance.

1 41. The investigation continued until on or about May 2008. Plaintiff was told that after
2 interviewing more than twenty individuals that they finally decided to stop because they were
3 certain they had enough information and that otherwise they could have kept on going. Plaintiff
4 was told that her complaint was sustained and that they were recommending that Callender be
5 terminated for the findings of the investigation. They also informed Plaintiff that ultimately the
6 decision was up to the CEO. Plaintiff again expressed her concern that the same CEO he had
7 bragged about getting hired would be the one in charge of deciding his punishment.

8 42. As Plaintiff had feared, the CEO decided to ignore the recommendation of the EEO
9 investigators and to keep Callender employed with SCVWD. He was apparently "demoted" but
10 less than four months later his position was reinstated.

11 43. As a result of the decision of SCVWD to maintain employment of Callender, Plaintiff
12 continues to be exposed to him. Both the Office of Government Relations and the Office of
13 Public Relations works closely with the CEO and the Board of Directors. This means that on
14 numerous occasions Plaintiff has been subjected to being in Callender's presence and that she
15 will continue to be in jeopardy of having to encounter him. On these encounters Callender has
16 leered at Plaintiff. Causing her extreme distress. On one instance Callender smiled at her in a
17 sarcastic manner, which she felt implied that he knew he had "won."

18 44. Plaintiff has missed opportunities for career advancement because Callender is still
19 employed at the district. He has accepted meeting invitations that he never attends, that Plaintiff
20 would have otherwise been assigned to, but to which she could not attend because of his
21 presence. Plaintiff was going to be assigned to work on the future funding campaign, but because
22 of his involvement the assignment was given to someone else.

23 45. Plaintiff continues to fear for the future of her career at SCVWD, because she knows
24 what Callender is capable of doing and has seen him get away with it. Callender is in a position,
25 by his very presence at SCVWD to prevent career growth and advancement of Plaintiff and to
26 continue to defame her and damage her professional reputation.

27 46. Defendant Employer is strictly liable for the acts of Callender, a supervisory employee
28 of Defendant Employer, under Government Code § 12940(j)(1).

1 47. Plaintiff filed a timely charge of sexual harassment and retaliation with the California
2 Department of Fair Employment and Housing ("DFEH"), naming each of the above-named
3 Defendants as respondents. Plaintiff has received notice of her right to sue in the California
4 Superior Court pursuant to California Government Code §12965(b). Plaintiff filed this action
5 within one year of the date of the "right to sue" letter received from the DFEH and has therefore,
6 properly exhausted her administrative remedies.

7 **FIRST CAUSE OF ACTION**

8 **Sexual Harassment and Hostile Work Environment**

9 **(California Government Code §12940(j))**

10 **(Against All Defendants and Does 1- 50)**

11 Plaintiff hereby re-alleges and incorporates by reference the allegations contained in all
12 preceding paragraphs as if fully set forth herein.

13 The conduct of Defendants, and each of them, as described herein above, constitutes quid pro
14 quo sexual harassment, in violation of the FEHA, at California Government Code §12940(j).

15 Plaintiff's quid pro quo sexual harassment claim was predicated on, among other conduct, the
16 implicit conditioning of her mentoring by Callender on her willingness to tolerate or accept his
17 unwelcome sexual harassment, including sexual or offensive touching and inappropriate,
18 suggestive comments.

19 The conduct of Defendants, and each of them, as described herein above, also constitutes "hostile
20 work environment" sexual harassment, in violation of California Government Code §12940(j).

21 Plaintiff's hostile work environment claim is supported by the conduct described in the above
22 paragraphs.

23 In doing the acts alleged herein, Callender was acting in his supervisory capacity with Defendant
24 Employer.

25 Callender's sexually harassing conduct was unwelcome.

26 Callender is personally liable for his acts of harassment and retaliation under Government Code
27 §12940(j)(3), and other state laws.

1 Defendant Employer is strictly liable for the acts of Callender, a supervisory employee of
2 Defendant Employer, under Government Code §12940(j)(1).

3 The sexual harassment was sufficiently severe or pervasive so as to alter the terms and
4 conditions of Plaintiff's employment or so as to create an intimidating, hostile or offensive work
5 environment.

6 The sexual harassment alleged herein was objectively offensive and was subjectively offensive
7 to Plaintiff.

8 As a direct and proximate result of the aforesaid harassment based on sex, Plaintiff has sustained
9 injury in the form of severe emotional stress and economic damages in an amount to be
10 established at trial.

11 Plaintiff is further entitled to statutory attorneys fees under Government Code §2965(b).

12 Defendants' conduct toward Plaintiff was wanton, willful, and intentional with malicious and
13 reckless disregard for the rights and sensibilities of Plaintiff, entitling her to punitive damages.

14 WHEREFORE, Plaintiff requests relief as hereinafter provided.

15 **SECOND CAUSE OF ACTION**

16 **Failure to Prevent Sexual Harassment and Discrimination**

17 **(California Government Code §§12940(j) & 12940(k))**

18 **(Against All Defendants and Does 1-50)**

19 Plaintiff hereby re-alleges and incorporates by reference the allegations contained in all
20 preceding paragraphs as if fully set forth herein.

21 Pursuant to FEHA, Government Code §12940, subdivisions (j) and (k), Defendants owed
22 Plaintiff the legal duty to take all reasonable actions necessary to prevent and stop unlawful
23 harassment based on sex.

24 Defendants breached their legal duty to Plaintiff to take all reasonable action necessary to
25 prevent and stop unlawful harassment and discrimination, as described above.

26 As a direct and proximate cause of defendants' breach of their duty under FEHA, Government
27 Code § 12940, subdivisions (j) and (k), Plaintiff was subjected during her employment with
28 Defendant Employer to unlawful harassment based on her sex.

1 As a direct and proximate result of the aforesaid harassment based on sex Plaintiff has sustained
2 injury in the form of severe emotional stress and economic damages in an amount to be
3 established at trial.

4 Plaintiff is further entitled to statutory attorneys fees under Government Code §2965(b).
5 Defendants' conduct toward Plaintiff was wanton, willful, and intentional with malicious and
6 reckless disregard for the rights and sensibilities of Plaintiff, entitling her to punitive damages.
7 WHEREFORE, Plaintiff requests relief as hereinafter set forth.

8 **THIRD CAUSE OF ACTION**

9 **Retaliation**

10 **(California Government Code §12940(b))**

11 **(Against All Defendants and Does 1-50)**

12 Plaintiff hereby alleges and incorporates by reference the allegations contained in all preceding
13 paragraphs as if fully set forth herein.

14 At all times material hereto, Defendants owed Plaintiff a duty not to discriminate against her in
15 the terms and conditions of her employment on the basis of her opposition to practices she
16 reasonably believed to be prohibited by FEHA, Government Code §12900 et seq.

17 In violation of the aforesaid duty, Defendants took adverse actions against Plaintiff because of
18 her protected activity of complaining about the harassment and discrimination against her, as
19 described above.

20 As a direct and proximate result of the aforesaid retaliation against Plaintiff for her protected
21 activity of reporting sexual harassment and discrimination, Plaintiff has sustained harm. Further,
22 Plaintiff has sustained injury in the form of severe emotional stress and economic damages in an
23 amount to be established at trial.

24 Plaintiff is further entitled to statutory attorneys fees under Government Code §2965(b).
25 Defendant Employer's conduct toward Plaintiff was wanton, willful, and intentional with
26 malicious and reckless disregard for the rights and sensibilities of Plaintiff, entitling her to
27 punitive damages.

28 WHEREFORE, Plaintiff requests relief as hereinafter set forth.

FOURTH CAUSE OF ACTION

Gender Violence

(California Civil Code §52.4)

(Against Callender)

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3
4
5 Plaintiff hereby realleges and incorporates by reference the allegations contained in all preceding
6 paragraphs as if fully set forth herein.

7 At all times material hereto, Callender owed Plaintiff the duty not to subject her to gender
8 violence, as mandated by California Civil Code §52.4, subdivision (a) and as defined by
9 California Civil Code §52.4, subdivision (c) (2).

10 Callender subjected Plaintiff to gender violence by committing assault and battery against
11 Plaintiff by attempting to kiss her, and making physical contact in that attempt, committing a
12 physical intrusion or invasion of a sexual nature under coercive conditions in his attempt to touch
13 and kiss her.

14 As a direct and proximate cause of the aforesaid gender violence, Plaintiff has sustained harm
15 and injury in the form of severe emotional stress and economic damages in an amount to be
16 established at trial.

17 Plaintiff is further entitled to statutory attorneys fees and costs under Civil Code §52.4(a).

18 Callender's conduct toward Plaintiff was wanton, willful, and intentional with malicious and
19 reckless disregard for the rights and sensibilities of Plaintiff, entitling her to punitive damages.

20 WHEREFORE, Plaintiff requests relief as hereinafter set forth.

21 **FIFTH CAUSE OF ACTION**

(Assault)

[Against All Defendants and Does I-50]

22
23
24 Plaintiff hereby realleges and incorporates by reference the allegations contained in all preceding
25 paragraphs as if fully set forth herein.

26 The conduct of Callender caused Plaintiff to be apprehensive that he would subject her to
27 imminent batteries and/or intentional invasions of her right to be free from offensive and harmful
28

1 contact, and his conduct demonstrated that defendant had a present ability to subject plaintiff to
2 an immediate, intentional, offensive and harmful touching.

3 As a direct and proximate cause of the aforesaid assault, Plaintiff sustained harm and injury in
4 the form of severe emotional stress and economic damages in an amount to be established at
5 trial.

6 Callender's conduct toward Plaintiff was wanton, willful, and intentional with malicious and
7 reckless disregard for the rights and sensibilities of Plaintiff, entitling her to punitive damages.

8 The remaining Defendants and Does 1-50 ratified the above conduct by condoning such acts and
9 conduct and failing to take any appropriate action. Plaintiff is entitled to punitive damages from
10 Defendants, and each of them, in an amount to be determined at trial.

11 **SIXTH CAUSE OF ACTION**

12 **(Battery)**

13 **[Against All Defendants and Does 1-50]**

14 Plaintiff hereby realleges and incorporates by reference the allegations contained in all preceding
15 paragraphs as if fully set forth herein.

16 The conduct of Callender constituted a nonconsensual and intentional invasion of Plaintiffs right
17 to be free from offensive and harmful physical contact. As a direct and proximate cause of the
18 aforesaid battery, Plaintiff sustained harm and injury in the form of severe emotional stress and
19 economic damages in an amount to be established at trial.

20 Callender's conduct toward Plaintiff was wanton, willful, and intentional with malicious and
21 reckless disregard for the rights and sensibilities of Plaintiff; entitling her to punitive damages.

22 The remaining Defendants and Does 1-10 ratified the above conduct by condoning such acts and
23 conduct and failing to take any appropriate action. Plaintiff is entitled to punitive damages from
24 Defendants, and each of them, in an amount to be determined at trial.

25 ///

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SEVENTH CAUSE OF ACTION

(Intentional Infliction of Emotional Distress)

[Against All Defendants and Does 1-50]

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4 Plaintiff hereby realleges and incorporates by reference the allegations contained in all preceding
5 paragraphs as if fully set forth herein.

6 The conduct of Defendants, and each of them, as alleged above, was outrageous and outside the
7 normal scope of the employment relationship. Defendants, and each of them, knew that their
8 conduct would result in plaintiff's severe emotional distress, and said conduct was perpetrated by
9 Defendants, and each of them, with the intent to inflict, or with reckless disregard of the
10 probability of inflicting, humiliation, mental anguish, and severe emotional distress upon
11 plaintiff.

12 Such conduct did, in fact, result in severe emotional distress caused to the Plaintiff. As a direct
13 and proximate cause of the aforesaid intentional infliction of emotional distress, Plaintiff has
14 sustained general damages and economic damages in an amount to be established at trial.

15 Defendants' conduct toward Plaintiff was wanton, willful, and intentional with malicious and
16 reckless disregard for the rights and sensibilities of Plaintiff, entitling her to punitive damages.

EIGHTH CAUSE OF ACTION

(Defamation)

[Against All Defendants and Does 1-50]

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19
20 Plaintiff hereby realleges and incorporates by reference the allegations contained in all preceding
21 paragraphs as if fully set forth herein.

22 Plaintiff is informed and believes and thereon alleges that commencing in or about February
23 2008, Callender falsely accused Plaintiff of fabricating the sexual allegations against him by
24 making oral statements to that effect.

25 By making these statements, Callender did publish false and unprivileged statements which
26 exposed Plaintiff to shame, ridicule, hatred, contempt and damages in her occupation by
27 inferring that Plaintiff's EEO complaint was a lie, and that Plaintiff is a troublemaker and
28 untrustworthy person, and a person of questionable integrity and veracity.

1 The defamatory implications of the aforementioned communications tended to directly injure
2 Plaintiff in respect to her profession and occupation by imputing to her disqualification in those
3 respects peculiarly required by Plaintiff's profession and occupation, and imputing to her
4 behavior that could preclude her from future employment, thereby causing Plaintiff to suffer
5 actual and special damages.

6 The statements were made by Callender in the course and scope of his employment at Defendant
7 Employer

8 As a direct and proximate cause of the aforesaid defamation, Plaintiff has sustained injury in the
9 form of severe emotional stress and economic damages in an amount to be established at trial,
10 Callender's conduct toward Plaintiff was wanton, willful, and intentional with malicious and
11 reckless disregard for the rights and sensibilities of Plaintiff, entitling her to punitive damages.

12 The remaining Defendants and Does 1-50 ratified the above conduct by condoning such acts and
13 conduct and failing to take any appropriate action. Plaintiff is entitled to punitive damages from
14 Defendants, and each of them, in an amount to be determined at trial.

15 **PRAYER FOR RELIEF**

16 WHEREFORE, Plaintiff respectfully prays that this Court grant the following relief:

- 17 1. An award of economic damages according to proof on All Causes of Action;
- 18 2. An award of compensatory damages as proven, including special and general damages,
19 according to proof;
- 20 3. An award of punitive damages for Defendants' willful, wanton, and malicious acts;
- 21 4. A civil penalty in an amount according to proof against Defendants to be awarded to
22 plaintiff as provided by Civil Code §52(b) for violation of Plaintiff's rights under Civil
23 Code §51.7;
- 24 5. An award of her costs of suit, disbursements, and attorneys' fees as provided by
25 Government Code §12965(b), Civil Code §52(bX2), and any other applicable statute or
26 law;

- 1 6. Injunctive and declaratory relief in the form of training or other measures necessary to
- 2 ensure Defendant Employer complies with its legal obligation to provide a workplace
- 3 free of sexual harassment or discrimination;
- 4 7. Injunctive and declaratory relief in the form of training or other measures necessary to
- 5 ensure Defendants refrain from harassing, retaliating, or harming Plaintiff; and
- 6 8. An award of such further and other relief as the Court deems just and proper, including a
- 7 finding that Defendants' discriminatory conduct was willful and malicious.
- 8 9. For prejudgment and post-judgment interest according to any applicable provision of law,
- 9 according to proof;
- 10 10. Such other and further relief as the court deems proper.


11 **DEMAND FOR JURY TRIAL**

12 Plaintiff hereby demands a jury trial for each cause of action for which she is entitled to a jury
13 trial.

14
15 Dated this 27th day of July, 2009

16 Respectfully submitted,

17 KAMAU A. EDWARDS, Attorney at Law

18
19 By: 
20 Kamau A. Edwards

21 Attorney for Plaintiff

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**Executive Summary of Report
Concerning Complaint Against:**

SCVWD Directors Barbara Keegan and
Linda Lezotte

Client: Santa Clara Valley Water District

Date: January 12, 2021

CONFIDENTIAL
EXECUTIVE SUMMARY OF
INVESTIGATIVE REPORT

Attach
Page

CONFIDENTIAL EXECUTIVE SUMMARY

I. INTRODUCTION, BACKGROUND, AND SCOPE

On July 27, 2020, Santa Clara Valley Water District (“VWD”) retained Oppenheimer Investigations Group LLP (formerly the Law Offices of Amy Oppenheimer) to conduct an impartial investigation of a complaint dated May 27, 2020, brought by Reverend Jethroe Moore, President of the San Jose/Silicon Valley Branch of the National Association for the Advancement of Colored People (“NAACP”). Moore supplemented the complaint with a letter to the investigator dated August 10, 2020. Moore’s complaint was directed against VWD Board Directors Barbara Keegan and Linda LeZotte, concerning their conduct in the hiring process for Rick Callender, VWD’s Chief Executive Officer. Amy Oppenheimer was the principal investigator, assisted by Julie Matlof Kennedy.¹ Vida Thomas conducted a second level review of the report.

The essence of Moore’s complaint was that Keegan and LeZotte acted to block Callender’s appointment due to his race. Moore told the investigator that Callender had provided the specific information included in the complaint. After conducting interviews and reviewing the record, the investigator concluded that the complaint arose directly from Callender’s experiences and perceptions. Accordingly, Callender and Moore were both considered complainants.

Based on the information in the two letters referred to above, along with the interviews of Moore and Callender, VWD asked the investigator to conduct an investigation addressing the following questions:

1. Did Keegan and LeZotte release confidential information from Callender’s personnel or EEO files to the media and the public?
2. Did Keegan and LeZotte spread information about Callender being a sexual harasser or a convicted felon as part of their “lobbying” against his appointment to the CEO position?
3. Did Keegan and LeZotte seek criminal background checks on Callender in connection with his application for the CEO position?
4. If any of the above conduct occurred, was it due to Callender’s race?

II. WITNESSES AND DOCUMENTS

The investigators conducted interviews of fifteen individuals, including all seven board members. The investigators also reviewed extensive documentation.

A. Witnesses

Consistent with professional investigative standards, the investigators interviewed witnesses who were most likely to have direct information about contested facts. The investigators first sought evidence from current VWD directors and employees, with the aim of minimizing public disclosure of confidential information. In the interest of confidentiality and avoiding needless expense, the investigators did not seek information that would be cumulative or unrelated to contested issues. In some cases, the

¹ The Board’s response to the complaint, including the retention of the investigator, was undertaken pursuant to Governance Policies updated as of December 10, 2019, specifically Governance Policies 6.15-6.19.

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investigators sought to interview witnesses outside the agency. Some of those individuals agreed to be interviewed, whereas others declined.

Also in accordance with standard investigative practice, the investigators did not seek to interview members of the press or legal counsel. Members of the press customarily refuse to divulge information they received from sources. Moreover, attempting to interview members of the press almost inevitably leads to media coverage of the confidential investigation. Likewise, attorneys must assert privilege with regard to their communications with clients and it is rare that they are interviewed as witnesses.

It is important to note Reverend Moore's statement that all of his allegations were based on information provided to him by Callender. Callender said the same thing. Thus, in determining whom to interview, the investigators relied heavily on Callender's detailed allegations and his statements about which witnesses had first-hand knowledge of the relevant facts.

With that background, the following information is provided:

1. Witnesses Interviewed

The investigators interviewed Reverend Moore, Callender, Keegan, LeZotte, Estremera, Santos, Kremen, Varela, and Hsueh. In addition, the investigators interviewed six witnesses identified herein by their initials for purposes of confidentiality: NC, AN, RG, MC, ME, and DG.²

2. People Who Declined to Speak with the Investigators

The investigators attempted to schedule interviews with BN, NH, and JJ. None of those witnesses responded to the request for an interview.

3. Other People Identified but Not Interviewed

As noted above, the investigators did not interview members of the press (e.g., JW or DP) or legal counsel.

There were several people whose names came up in connection with uncontested facts; there was no reason to interview such people. For example, Keegan and LeZotte said that they believed a criminal background check should be done. Thus, it was not necessary to interview other witnesses (LB, MR, OL, PM, and TV) who were said to have knowledge of this.

Callender described the involvement of nearly all the other people listed by Moore as potential witnesses. With regard to several of them (e.g., OL, PM, and LB), Callender said they were recipients of second or third hand reports of various events. The investigators chose to interview witnesses with more direct knowledge rather than people who would be able to provide only attenuated hearsay.

With regard to the former employee (AC) who obtained a copy of a document from Callender's EEO file, it was determined that there was no reason to interview him. The witness who gave AC the document was interviewed; she said he returned it two days later. There was no evidence from Callender or

² Other than Moore, Callender, Keegan, LeZotte, and the remaining directors, all actual or potential witnesses are identified by their initials for reasons of confidentiality.

CONFIDENTIAL EXECUTIVE SUMMARY

anyone else to suggest that AC ever gave the document to Keegan or LeZotte. Keegan and LeZotte both denied having the document at any point. LeZotte and Hsueh said that LeZotte read from an entirely different document during a closed session Board meeting. (See below.) Moreover, there was information that AC left VWD on bad terms and had a contentious relationship with Callender and thus interviewing him might not be in Callender's or the agency's best interests. Given how remote it was that he would provide relevant information, it was determined it was neither necessary nor desirable to interview AC.³

One of the directors said that AR (an aide to a public official) had a personal grievance with Callender and might have spoken with Keegan. Callender said he believed Keegan and LeZotte spoke with AR but he provided no details.⁴ The investigator determined that an interview with this third party witness was not likely to be revelatory.

There was no specific evidence of or allegation concerning the role of another third party, DD. His name was included on a list of potential witnesses without any link to a specific event. Not one of the other witnesses (including Moore himself) ever mentioned him during an interview. Thus, he was not interviewed.

There was evidence that another third party (SS) spoke to ME and made disparaging remarks about Callender. The investigator interviewed ME, who described those remarks. Therefore there was no need to seek cumulative evidence through a subsequent interview of SS.

B. Documents

Moore and Callender accused Keegan and LeZotte of racism based on their spreading rumors that Callender had sexually harassed employees at VWD and had a criminal background. They asserted the two directors were sexualizing a Black man and making false allegations against him based on racist beliefs.

Because of these assertions, the complaint could not be investigated without making a determination as to the basis for Keegan and LeZotte's beliefs. This investigation disclosed that in 2008 VWD did do an internal investigation of a sexual harassment complaint against Callender. It also turned out that Callender did have a conviction for some sort of assault. Callender asserted, however, that each of these findings was a result of racism.

Thus, the complete file for the investigation of the 2008 complaint (consisting of hundreds of pages) was reviewed to determine if it was a fair and thorough investigation and whether the findings were consistent with the evidence gathered. This investigation also included a review of a 2008 ethics investigation involving Callender, the record of other complaints brought both by and against Callender, DFEH records, and documents relating to Callender's 2013 settlement with VWD.

³ Likewise, there was no reason to interview TY, an employee who was not involved with the maintenance of the EEO files.

⁴ In the same part of his interview, Callender mentioned a possible conversation between Keegan and LeZotte and an employee (TV). Again, because neither Callender nor any other witness ever mentioned anything specific about TV, the investigator deemed it unnecessary to pursue an interview.

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III. FINDINGS

A. 2008 Investigations

As stated above, Keegan and LeZotte were accused by Moore and Callender of racism by their sexualizing a Black man and making false allegations against him based on racist beliefs. If the sexual harassment allegations were false, that would be evidence that their opposition was, indeed, nefarious and perhaps racist. By asserting this theory, Moore and Callender put at issue the basis for Keegan and LeZotte's actions and whether those actions were reasonable and done in good faith or whether they were a subterfuge for racism.

The document review led a determination that the 2008 investigation of a sexual harassment complaint against Callender was thorough and fair. There was no reason to believe it was impacted by racism – in fact the lead investigator was a Black woman. Callender was found to have violated VWD's policies against harassment. In a separate report (which also appeared to have been thorough and fair), Callender was found to have engaged in ethics violations.

Callender asserted that these findings were set aside or expunged as a result of a 2013 settlement of a different matter. However, although Callender tried to have the findings expunged as part of that settlement, VWD did not agree to that.

The question, then, was whether Keegan's and LeZotte's consideration of the 2008 sexual harassment finding against Callender, in determining whether Callender should be CEO, was reasonable or whether it was racist. The related inquiry was whether they made false statements or accessed confidential documents during the process.

With this in mind, the following findings were made.

B. Did Keegan and LeZotte release confidential information from Callender's personnel or EEO files to the media and the public?

Not sustained. A preponderance of the evidence did not support a finding that Keegan or LeZotte released confidential information from Callender's personnel file or EEO file to the media or the public.

The basis for the contention that Keegan and/or LeZotte released confidential information about Callender was twofold. First, a document from his personnel file (apparently the draft 2008 report concerning the sexual harassment allegations) was printed and taken home by an employee when it should not have been. Second, LeZotte read aloud from something during a Board meeting that was held via Zoom and Board members were unsure what she was reading from.

There was evidence that Callender's personnel file was compromised, however there was no evidence that that documents were given to anyone. LeZotte said what she read out loud from was a complaint filed in Superior Court, which is a public document. She produced it during this investigation.⁵ Given this evidence, which was found to be credible, it could not be found that either Keegan or LeZotte released confidential information about Callender.

⁵ Exhibit 1 hereto consists of pages 1 and 11, redacted to protect the privacy of the plaintiff. LeZotte said she read from Paragraph 41 on page 11 during a closed session Board meeting.

CONFIDENTIAL EXECUTIVE SUMMARY

C. Did Keegan and LeZotte spread information about Callender being a sexual harasser or a convicted felon as part of their "lobbying" against his appointment to the CEO position?

Sustained in part and not sustained in part. A preponderance of the evidence supported a finding that both Keegan and LeZotte discussed their concerns about Callender engaging in sexual harassment with Board members and others. A preponderance of the evidence did not support a finding that either of them referred to Callender as a "convicted felon" but did support a finding that Keegan brought up Callender's criminal background on at least one occasion.

There was considerable evidence that Board members discussed Callender's appointment with each other and with other individuals. Whether this is correctly considered "lobbying" was unclear. Further, whether the discussions were inappropriate or would violate rules, policies, laws or expectations was beyond the scope of this investigation.

Keegan and LeZotte were not alone in this – it was undisputed that Callender and all of the Directors engaged in conversations among themselves and with others about the CEO search. In addition to conversations between and among all of the board members, Keegan spoke to eight non-board members and one member of the media (though there was no evidence Keegan initiated that contact) and LeZotte spoke to two non-board members. Additionally, Kremen spoke to a member of the media, and Kremen, Estremera, Santos and Varela all spoke to one or more non-board members. Callender also spoke to numerous members of the public and to four board members (Kremen, Estremera, Santos and Varela).

As for what Keegan and LeZotte said, a preponderance of the evidence did not support a finding that either Keegan or LeZotte referenced a "deep criminal history," a felony, multiple affairs, or fathering a child with a VWD employee. However, there was evidence that Keegan, on one or two occasions, referenced past criminal charges (though not specifically a felony), which was a true statement.

There was a text from Keegan to Kremen asking if a reporter, Pulcrano, killed a "Rick expose article," Keegan provided a detailed explanation of the context. She said another journalist, Wadsworth, called Keegan and said Pulcrano was treating an article about Callender "differently" and was trying to "kill" it. Therefore, Keegan said, she sent Kremen, who is a friend of Pulcrano's, a text asking about this. This was evidence that she was speaking to the press about Callender, though not evidence that she initiated the conversations.

For the foregoing reasons, a preponderance of the evidence supported a finding that Keegan and LeZotte spoke to other Board members about the CEO search and expressed concerns about Callender's history of sexual harassment during those conversations. Further, a preponderance of the evidence supported a finding that Keegan (and in two instances LeZotte) spoke to others about Callender's application to become CEO to gauge support for him, at times bringing up the past charges of sexual harassment and once (by Keegan) bringing up his criminal record.

D. Did Keegan and LeZotte seek criminal background checks on Callender in connection with his application for the CEO position?

Sustained. A preponderance of the evidence supported a finding that Keegan and LeZotte suggested that a criminal background check be done on Callender.

CONFIDENTIAL EXECUTIVE SUMMARY

LeZotte and Keegan both admitted suggesting a criminal background check, so to that extent this issue was uncontested.

Hsueh said the question of doing a criminal background check on applicants was raised early in the process and she thought there was agreement on this but that later Estremera and Santos felt strongly that a background check should not be done on an internal candidate.

Thus, while there is no question that Keegan and LeZotte supported doing a criminal background check, as did some other directors, and that at some point in the process Estremera and Santos did not, when and why there were dissenting views was harder to parse out.

The issue of who sought a criminal background check, when, and why, was difficult to track due to a number of factors. First, the contract with the search firm stated that there would be a background check on finalists, suggesting that doing so was a *fait accompli*. Second, witnesses tended to conflate a criminal background check with a generic background check, making it hard to determine who was advocating for or against which. Third, witnesses also tended to conflate doing a background check in the beginning of the search with the doing so on finalists and with doing so for the final candidate of choice before an offer was made, which was what was ultimately done here. Thus, the significance of this issue is ambiguous.

Nevertheless, given the evidence, a finding could be made that Keegan and LeZotte did want such a background check to be done.

E. If any of the above conduct occurred, was it due to Callender's race?

Not sustained. A preponderance of the evidence did not support a finding that Keegan and/or LeZotte's actions were based on race.

The evidence is that Keegan and LeZotte believed there were serious allegations of sexual harassment against Callender that had been sustained via an internal investigation and that consideration of this was relevant to whether Callender was suitable to be CEO. The evidence also established that there was a reasonable basis for their belief as it was supported by documentary evidence.

Reasonable minds can differ on the relevance of these findings to Callender's fitness to be CEO – while they did appear to be serious, they were also twelve years old. It seems likely that some people would believe findings of sexual harassment would be relevant in decisions on hiring, even if twelve years old.

But raising and discussing Callender's past sexual harassment cannot fairly be considered, in and of itself, racist. It is also unreasonable to conclude that there is a pattern of racism simply because Keegan and LeZotte voted against Camacho, a woman of Color, in the 2017 CEO selection. (This was the other reason given by some board members for the conclusion that Keegan and LeZotte's vote was due to racism.) There was unconverted evidence that Keegan voted for a Black man rather than Camacho, dispelling this argument.

The other reasons raised for concluding Keegan and/or LeZotte were racist were insubstantial. Kremen said LeZotte rolled her eyes when discussing diversity (which she disputed). Callender said he heard a rumor that twelve or thirteen years ago, Keegan said a competitor for a position was selected only because he was Black. Keegan, on the other hand, said she was not selected for a number of positions

CONFIDENTIAL EXECUTIVE SUMMARY

for which she thought she was more qualified, and one of them was given to a Black man, but she did not say he got the position because he is Black. These allegations, along with the vote against Camacho, the concerns raised by Keegan and LeZotte about sexual harassment and advocating for a background check, were the only bases for the accusations of racism given by Reverend Moore, Callender and the four board members who voted for Callender.

Certainly, there are ugly racial stereotypes linking Black men to hypersexuality. In the United States there is also a history of false claims of rape and sexual assault against Black men. Had there not been competent evidence of sexual harassment and a criminal conviction Keegan and LeZotte's bringing these things up could certainly be seen as racist. However, that was not the case here. Rather, there was evidence of Callender's past harassment and that it had impacted the work environment at VWD.

Given Keegan and LeZotte's good faith, reasonable concerns about Callender's past actions, coupled with the lack of evidence of racial animus, a preponderance of the evidence did not support a finding that Keegan's or LeZotte's actions were due to Callender's race.

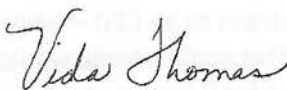
Respectfully submitted,



Amy Oppenheimer



Julie Matlof Kennedy



Vida Thomas

Exhibit 1

IN THE SUPREME COURT OF THE STATE OF CALIFORNIA
IN THE COUNTY OF SANTA CLARA

Case No. [REDACTED]

COMPLAINT:

Case No.	Case Name
1	State of California vs. [REDACTED]
2	[REDACTED]
3	[REDACTED]
4	[REDACTED]
5	[REDACTED]
6	[REDACTED]
7	[REDACTED]
8	[REDACTED]
9	[REDACTED]
10	[REDACTED]

JURY TRIAL NOTICE

1 KAMAU EDWARDS (SBN 230826)
2 4096 Piedmont Avenue
3 Suite 174
4 Oakland, CA 94611
5 Telephone: (415) 271-2093

6 Attorney for Plaintiff

7 IN THE SUPERIOR COURT IN THE STATE OF CALIFORNIA
8 FOR THE COUNTY OF SANTA CLARA

FILED Santa Clara Co
07/27/09 11:16am
David H. Yamazaki
Chief Executive Officer
Tel: 99909400 DTSC 40
R#2009700061534
JK #300.00
TI #300.00
Case: 1-09-CV 148445-1

Case No.: 109CV148445

9 [Redacted]

10 Plaintiff,

11 vs.

12 SANTA CLARA VALLEY WATER
13 DISTRICT, et. al., ENRICO CALLENDER
14 (a.k.a. RICK CALLENDER), an individual,
15 and DOES 1 through 50, inclusive,
16 Defendant.

COMPLAINT:

1. Sexual Harassment and Hostile Work Environment [Gov. Code § 12940(j)(1)];
2. Failure to Prevent Harassment and Discrimination [Gov. Code §§ 12940(j)(3) & (k)];
3. Retaliation [Gov. Code § 12940(h)];
4. Gender Violence [Civil Code §52.4];
5. Assault;
6. Battery;
7. Intentional Infliction of Emotional Distress;
8. Defamation.

JURY TRIAL REOUESTED

1 41. The investigation continued until on or about May 2008. Plaintiff was told that after
2 interviewing more than twenty individuals that they finally decided to stop because they were
3 certain they had enough information and that otherwise they could have kept on going. Plaintiff
4 was told that her complaint was sustained and that they were recommending that Callender be
5 terminated for the findings of the investigation. They also informed Plaintiff that ultimately the
6 decision was up to the CEO. Plaintiff again expressed her concern that the same CEO he had
7 bragged about getting hired would be the one in charge of deciding his punishment.

8 42. As Plaintiff had feared, the CEO decided to ignore the recommendation of the EEO
9 investigators and to keep Callender employed with SCVWD. He was apparently "demoted" but
10 less than four months later his position was reinstated.

11 43. As a result of the decision of SCVWD to maintain employment of Callender, Plaintiff
12 continues to be exposed to him. Both the Office of Government Relations and the Office of
13 Public Relations works closely with the CEO and the Board of Directors. This means that on
14 numerous occasions Plaintiff has been subjected to being in Callender's presence and that she
15 will continue to be in jeopardy of having to encounter him. On these encounters Callender has
16 leered at Plaintiff. Causing her extreme distress. On one instance Callender smiled at her in a
17 sarcastic manner, which she felt implied that he knew he had "won."

18 44. Plaintiff has missed opportunities for career advancement because Callender is still
19 employed at the district. He has accepted meeting invitations that he never attends, that Plaintiff
20 would have otherwise been assigned to, but to which she could not attend because of his
21 presence. Plaintiff was going to be assigned to work on the future funding campaign, but because
22 of his involvement the assignment was given to someone else.

23 45. Plaintiff continues to fear for the future of her career at SCVWD, because she knows
24 what Callender is capable of doing and has seen him get away with it. Callender is in a position,
25 by his very presence at SCVWD to prevent career growth and advancement of Plaintiff and to
26 continue to defame her and damage her professional reputation.

27 46. Defendant Employer is strictly liable for the acts of Callender, a supervisory employee
28 of Defendant Employer, under Government Code §12940(j)(1).

31 The investigation continued until on or about May 2008 Plaintiff was told that after
32 interviewing more than twenty individuals that they finally decided to stop because they were
33 certain they had enough information and that otherwise they could have kept on going. Plaintiff
34 was told that the complaint was sustained and that they were recommending that Callender be
35 terminated for the findings of the investigation. They also informed Plaintiff that ultimately the
36 decision was up to the CEO. Plaintiff again expressed his concern that the same CEO he had
37 proposed about getting hired would be the one in charge of deciding his reinstatement.

38 42. As Plaintiff had feared, the CEO decided to ignore the recommendation of the BEO
39 investigators and to keep Callender employed with SCVWD. He was apparently "damned" but
40 has that fear to enter into his position was warranted.

41 43. As a result of the decision of SCVWD to maintain employment of Callender, Plaintiff
42 continues to be exposed to risk. Both the Office of Government Relations and the Office of
43 Public Relations work closely with the CEO and the Board of Directors. This means that on
44 numerous occasions Plaintiff has been subjected to being in Callender's presence and that the
45 will continue to be in jeopardy of having to encounter him. On these encounters Callender has
46 proved to Plaintiff. Causing her extreme distress. On one occasion Callender testified to her in a
47 sarcastic manner, which she felt implied that he knew he had "won".

48 44. Plaintiff has missed opportunities for career advancement because Callender is still
49 employed in the district. He has accepted meeting invitations that he never attends, that Plaintiff
50 would have otherwise been assigned to, but to which she could not attend because of his
51 presence. Plaintiff was going to be assigned to work on the future funding campaign, but because
52 of his involvement the assignment was given to someone else.

53 45. Plaintiff continues to fear for the future of her career at SCVWD, because she knows
54 what Callender is capable of doing and has seen him put every other employee in a position
55 to his very presence at SCVWD to prevent career growth and advancement of Plaintiff and to
56 continue to defame her and damage her professional reputation.

57 46. Defendant Employer is strictly liable for the acts of Callender, a supervisory employee
58 of Defendant Employer, under Government Code § 53400(d)(1).

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ELECTRONICALLY FILED
Superior Court of California
County of Sacramento
03/20/2025
By: Jessica Sroufe Deputy

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8 Attorney for Plaintiff
9 SALENA PRYOR

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF SACRAMENTO**

12 **SALENA PRYOR,**

13 Plaintiff,

14 v.

15 **NAACP; NATIONAL ASSOCIATION FOR**
16 **THE ADVANCEMENT OF COLORED**
17 **PEOPLE; CALIFORNIA HAWAII STATE**
18 **CONFERENCE OF THE NAACP;**
19 **NAACP CALIFORNIA HAWAII STATE**
20 **CONFERENCE; CALIFORNIA HAWAII**
21 **STATE CONFERENCE; ENRICO**
22 **“RICK” LYDELL CALLENDER; and**
23 **DOES 1 through 100, inclusive,**

24 Defendants.

Case No.: **25CV006551**

PLAINTIFF’S VERIFIED COMPLAINT
FOR DAMAGES:

1. Race and Gender Discrimination-Disparate Treatment (Gov. Code § 12940(a));
2. Race and Gender Discrimination-Disparate Impact (Gov. Code § 12940(a));
3. Hostile Work Environment Harassment (Gov. Code § 12940(j));
4. Retaliation (Gov. Code § 12940(h));
5. Failure to Prevent Discrimination, Harassment, and Retaliation (Gov. Code 12940(k));
6. Adverse Employment Action in Violation of Public Policy;
7. Whistleblower Retaliation (Labor Code § 1102.5);
8. Defamation;
9. Unfair Competition Law (Bus. & Prof. Code § 17200, *et seq.*);
10. Nonpayment of Overtime Compensation (Labor Code §§ 510 and 1194(a));
11. Failure to Provide Accurate Wage Statements (Labor Code § 226(a));
12. Failure to Provide Adequate Meal and Rest Periods (Labor Code §§ 226.7 and 512);
13. Negligent Interference with Prospective Economic Relations; and

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14. Negligent Infliction of Emotional Distress.

AND DEMAND FOR JURY TRIAL

Plaintiff SALENA PRYOR respectfully submits the instant Verified Complaint for Damages and Demand for Jury Trial and alleges as follows:

OVERVIEW

The NAACP and NAACP California Hawaii State Conference (CA/HI NAACP) claims its principal objective is to ensure the political, educational, social and economic equality of minority citizens of the United States and eliminate race prejudice. However, the NAACP California Hawaii State Conference, through its President ENRICO "RICK" LYDELL CALLENDER, discriminated against, harassed, retaliated against, defamed, and misclassified Salena Pryor, a Black woman, who performed the CA/HI NAACP Executive Director job duties and operated as and was treated as a CA/HI NAACP employee.



Enrico "Rick" Lydell Callender CA/HI NAACP
President

Throughout Ms. Pryor's employment with CA/HI NAACP, President CALLENDER treated Ms. Pryor as he saw fit. President CALLENDER demeaned and undermined Ms. Pryor at every opportunity, from video-calling her late at night to name-call and humiliate her in front of Ms. Pryor's children, to sadistically embarrassing Ms. Pryor in professional settings. All the while, CA/HI NAACP required Ms. Pryor to be managed by and report to President RICK CALLENDER and members of the Personnel Committee. President CALLENDER required Ms. Pryor to work the schedule that he deemed appropriate for her to work, which consistently included 12-to-16-hour days. President CALLENDER also required Ms. Pryor to perform tasks within the daily operations of the CA/HI NAACP that were outside the scope of her duties.

After Ms. Pryor complained about the discrimination and harassment from President CALLENDER, he increased the frequency and severity of his attacks on her. As a result of the continued discrimination, harassment, and retaliation, Ms. Pryor informed CA/HI NAACP of her resignation.

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1 Upon the NAACP, CA/HI NAACP, and President CALLENDER receiving notice that Ms.
2 Pryor retained an attorney, the NAACP, CA/HI NAACP, and President CALLENDER set out on a
3 defamation campaign to tarnish the character of Ms. Pryor and her business. The NAACP suspended
4 Ms. Pryor’s NAACP membership without cause, support, or justification, and the NAACP, CA/HI
5 NAACP, and President CALLENDER published and/or provided false and defamatory information
6 concerning Ms. Pryor to the Sacramento Bee, claiming Ms. Pryor engaged in financial improprieties,
7 mismanaged Sacramento County funds, used her position for financial gain, embezzled funds, and used
8 the NAACP’s name without permission, among other things.

9 **PARTIES AND JURISDICTION**

10 1. Plaintiff SALENA PRYOR (hereinafter “PLAINTIFF” or “PRYOR”) was, at all times
11 relevant to this action, a recruit, employee, or wrongfully terminated employee of Defendant NAACP
12 CALIFORNIA HAWAII STATE CONFERENCE. Plaintiff, at all times relevant to this action, was
13 employed by Defendant NAACP CALIFORNIA HAWAII STATE CONFERENCE in Sacramento
14 County, California.

15 2. Defendant NAACP was, at all times relevant to this action, a corporate entity organized
16 and existing under the laws of the state of California, that its principal place of business was in Baltimore,
17 Maryland, is doing business in Sacramento County, California, and it employed more than five persons
18 under the California Fair Employment and Housing Act, Government Code section 12900, *et seq.*

19 3. Defendant NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF
20 COLORED PEOPLE was, at all times relevant to this action, a corporate entity organized and existing
21 under the laws of the state of California, that its principal place of business was in Baltimore, Maryland,
22 is doing business in Sacramento County, California, and it employed more than five persons under the
23 California Fair Employment and Housing Act, Government Code section 12900, *et seq.*

24 4. Defendant CALIFORNIA HAWAII STATE CONFERENCE OF THE NAACP was,
25 at all times relevant to this action, a corporate entity organized and existing under the laws of the state
26 of California, that its principal place of business was in Sacramento County, California, is doing business
27 in Sacramento County, California, and it employed more than five persons under the California Fair
28 Employment and Housing Act, Government Code section 12900, *et seq.*

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1 5. Defendant NAACP CALIFORNIA HAWAII STATE CONFERENCE was, at all times
2 relevant to this action, a corporate entity organized and existing under the laws of the state of California,
3 that its principal place of business was in Sacramento County, California, is doing business in
4 Sacramento County, California, and it employed more than five persons under the California Fair
5 Employment and Housing Act, Government Code section 12900, *et seq.*

6 6. Defendant CALIFORNIA HAWAII STATE CONFERENCE was, at all times relevant
7 to this action, a corporate entity organized and existing under the laws of the state of California, that its
8 principal place of business was in Sacramento County, California, is doing business in Sacramento
9 County, California, and it employed more than five persons under the California Fair Employment and
10 Housing Act, Government Code section 12900, *et seq.*

11 7. Defendant ENRICO “RICK” LYDELL CALLENDER was, at all times relevant to this
12 action, employed by one or multiple of the other named Defendants, as President. Plaintiff believes,
13 and thereby represents, that CALLENDER is a resident of the State of California and resides in Santa
14 Clara County, California.

15 8. Venue and jurisdiction are proper because the majority of the events giving rise to this
16 action took place in Sacramento County; Defendant(s) were doing business in Sacramento County;
17 Plaintiff’s employment was entered into Sacramento County; Plaintiff worked for Defendant(s) in
18 Sacramento County; the damages sought exceed the jurisdictional minimum of this Court; and the
19 majority of events occurred and witnesses reside in or around Sacramento County.

20 9. Plaintiff is ignorant of the true names and capacities of the Defendants sued herein as
21 Defendant CALIFORNIA HAWAII STATE CONFERENCE OF THE NAACP, NAACP
22 CALIFORNIA HAWAII STATE CONFERENCE, and CALIFORNIA HAWAII STATE
23 CONFERENCE (hereinafter collectively referred to as “CA/HI NAACP”), NAACP, NATIONAL
24 ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, and ENRICO “RICK”
25 LYDELL CALLENDER, and DOES 1 through 100 (hereinafter collectively referred to as
26 “DEFENDANTS.” Defendants DOES 1 through 100 are sued herein under fictitious names pursuant
27 to Code of Civil Procedure section 474. Plaintiff is informed and believes, and on that basis alleges, that
28 each Defendant sued under fictitious names is in some manner responsible for the wrongs and damages

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1 as alleged herein inclusive, were at all times relevant herein owners, employees, consultants, independent
2 contractors, agents and/or members of the Board of Directors for Defendant. Plaintiff does not at this
3 time know the true names or capacities of said Defendants, but prays that the same may be inserted
4 herein when ascertained.

5 10. At all times relevant to this action, each and every Defendant was an agent and/or
6 employee of each and every other Defendant. In doing the things alleged in the causes of action stated,
7 each and every defendant was acting within the course and scope of this agency or employment, and
8 was acting with the consent, permission, and authorization of each remaining Defendant. All actions of
9 each Defendant alleged were ratified and approved by every other defendant or their officers or
10 managing agents.

11 **STATEMENT OF FACTS**

12 11. On or around September 16, 2021, PRYOR, through her company Pryor Consulting,
13 received a contract from CA/HI NAACP to provide consulting services for its State Convention and
14 Expungement programs.

15 12. PRYOR's job duties included the following: lead the planning and execution of the State
16 Convention, overseeing all logistical aspects; ensure seamless coordination before and during the event,
17 including venue logistics, catering, and participant accommodations; conduct follow-up, scheduling, and
18 confirmation of speakers for the State Convention; collaborate with speakers to align presentations with
19 the State Convention's objective; coordinate and schedule panelists for various sessions during the State
20 Convention; facilitate communication and preparation between panelists and event organizers; provide
21 support to committee chairs for workshop planning and execution; conduct follow-up with participants
22 and workshop clinicians to ensure a positive experience; undertake additional tasks as directed by the
23 President or their proxy to contribute to the overall success of the State Convention; develop a
24 comprehensive strategic plan aligning with the goals of the Expungement Program; ensure program
25 legal compliance and adherence to established standards; survey branches to determine interests and
26 capabilities for program implementation; assist in developing and streamlining reporting processes for
27 branches participating in the Expungement Program; oversee the implementation of the Expungement
28 Program, ensuring its successful execution; collaborate with branches to address challenges and enhance

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1 program effectiveness; undertake additional tasks as directed by the President or their proxy to support
2 the overall success of the Expungement Program; provide clear direction and support to staff members
3 assigned to various projects; ensure tasks are completed on time and align with project objectives; offer
4 ongoing support and guidance to staff members, fostering a collaborative and productive work
5 environment; address any challenges or concerns that may arise during project execution; undertake
6 additional tasks as directed by the President or their proxy to facilitate effective staff coordination and
7 project management.

8 13. Further, the CA/HI NAACP expected PRYOR to perform the job duties of the previous
9 salaried Executive Director. The Executive Director job duties included, but were not limited to,
10 approving staff payroll, collaborating with Treasurer Carolyn Veal-Hunter to address payroll issues, and
11 ensuring timely distribution of checks. CA/HI NAACP required PRYOR to attend staff meetings
12 during work hours and after-hours. The Executive Director workload, which included managing
13 invoicing and accounts receivable for fundraising activities, required PRYOR to consistently exceed a
14 60-hour workweek. CA/HI NAACP also required PRYOR to manage the staff, which required PRYOR
15 to be in the office at 8:30 a.m. and leave no earlier than 4:30 p.m. CA/HI NAACP also required PRYOR
16 to notify the President, CALLENDER, in advance of absences from CA/HI NAACP work of more
17 than one day during normal CA/HI NAACP workdays. PRYOR’s job duties also required her to create
18 tracking spreadsheets for grants, apply for funding through the fiscal sponsor post-approval, and utilize
19 her personal cell phone to respond to constituent phone calls referred by the National NAACP to the
20 CA/HI NAACP because CA/HI NAACP did not have a dedicated phone line. PRYOR was also
21 required to assist branches in issue resolution after regular working hours and was involved in drafting
22 the rationale for terminating a CA/HI NAACP employee—even though PRYOR was not the
23 termination decisionmaker. PRYOR was also expected to receive guidance from volunteer committee
24 chairs, yet concurrently tasked with the responsibility of managing the committee chairs. PRYOR was
25 regularly prevented from performing her duties as outlined in the scope of services in the initial
26 agreement. All of the job duties listed in the contract were the salaried Executive Director employee
27 functions.

28 ///

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1 14. On or about February 1, 2022, CA/HI NAACP extended PRYOR’s contract to become
2 the “Contract Executive Director.” Under the contract, PRYOR’s job duties continued to be that of an
3 employee. Specifically, PRYOR was required to collaborate with the President and Executive
4 Committee to identify, create, and implement strategic plans to achieve organization objectives; report
5 directly to the Executive Committee and, in the absence of committee meetings, to the President; train
6 and develop a proficient team capable of leading critical projects and managing strategic organizational
7 functions; monitor State Office operations, ensuring compliance with regulatory and legal requirements
8 among employees and business practices; cultivate the organizational culture, emphasizing transparency
9 and collaboration throughout the entire organization; foster partnerships with company stakeholders,
10 shareholders, industry regulators, and other relevant parties; identify potential risks and opportunity
11 within the organization and its environment to safeguard organizational interests; represent the
12 organization at social and corporate events as directed, enhancing the brand and effectively
13 communicating the company’s message; implement State Conventions, Meetings, and Events; lead event
14 planning and management for State Conventions, ensuring smooth execution; assist in identifying and
15 securing venues at favorable rates; coordinate and schedule panelists and event speakers; provide
16 essential support to Committee Chairs and the Executive Committee to ensure event success; undertake
17 additional tasks as directed by the President or proxy; implement Grant Programming; develop a
18 strategic plan aligning with the program’s goals; ensure program legal compliance; provide support to
19 Branches/Youth Units to ensure program success through completion; assist in developing and
20 streamlining reporting processes for branches; undertake additional tasks as directed by the President
21 or proxy; perform day-to-day operations; and provide staff direction and support to ensure tasks are
22 completed on time for each project as directed by the President or proxy.

23 15. On or about April 20, 2022, PRYOR was tasked with delivering news of the passing of
24 the First Vice President Dan Daniels. Additionally, PRYOR was tasked with working alongside the
25 decedent’s family and the funeral home to facilitate funeral arrangements. These responsibilities were
26 designated to PRYOR by CA/HI NAACP, via President CALLENDER, framed as part of coordinating
27 President CALLENDER’s role during the funeral proceedings. PRYOR also had the responsibility of
28 composing the memorial resolution, which should have been completed by either the Communications

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1 Chair, Anna Hopkins, or the Communications Specialist, Kristine Yabumoto. PRYOR’s consulting
2 company writes and implements education and outreach programs that provide resources and benefits
3 to the community. PRYOR’s consulting services did not encompass the job duties/functions assigned
4 by CA/HI NAACP and President CALLENDER, nor were the job duties/functions outlined in the
5 contract’s scope of services.

6 16. On or about June 22, 2022, PRYOR served as a member of the Events Committee under
7 the guidance of Gail Bautista, the Events Chair. In this capacity, PRYOR collaborated with vendors and
8 sought recommendations from local NAACP branches. Once PRYOR gathered relevant information,
9 PRYOR presented the information to the Events Committee for approval via a vote. PRYOR’s
10 responsibilities included creating project plans, preliminary budgets outlining projected expenses and
11 revenue versus actual figures, managing sponsorship requests and tracking, handling ad letter requests,
12 identifying and securing A/V needs for each event, and collecting materials for the souvenir booklet.
13 PRYOR also took charge of designing room layouts, seating charts, and sign-in sheets. Collaborative
14 efforts with Anna Hopkins and Gail Bautista on signage were integral to the process, and PRYOR held
15 a meeting with the Audio/Visual company with Gail Bautista.

16 17. Despite President CALLENDER’s dissatisfaction with the event decorator's choice of
17 long tables over round tables and the absence of extra tablecloths, both the decorator and PRYOR
18 encountered rude and dismissive behavior from President CALLENDER. Although CA/HI NAACP
19 was short-staffed due to budget constraints on flying additional personnel to the event, PRYOR
20 attended the event and worked diligently. Efforts to secure volunteers from the NAACP Los Angeles
21 Branch were hindered by President CALLENDER’s requirement for volunteers to purchase event
22 tickets. During the post-event “lessons learned” meeting, President CALLENDER publicly criticized
23 PRYOR and held her accountable for his perception that the Legacy Event was unsuccessful—even
24 though PRYOR received positive feedback from many others.

25 18. Notably, PRYOR was not permitted to do a walk-through of the venue before the event,
26 and blame was assigned to PRYOR for issues such as the air conditioning malfunctioning, inadequate
27 audio/visual equipment, lack of volunteers, the decorator bringing the wrong tablecloths, and the use
28 of plastic plates and utensils for serving food. PRYOR had no decision-making authority; the Events

1 Committee made and voted on all decisions, and PRYOR faithfully executed its instructions. This
2 marked the onset of President CALLENDER's mistreatment and critical attitude towards PRYOR,
3 leading to discriminatory, disrespectful, and antagonistic correspondence and behavior.

4 19. In or around July 2022, President CALLENDER assigned PRYOR the responsibility of
5 coordinating floral arrangements for the funeral of Gail Bautista's mother. Despite this task being
6 beyond the initially agreed-upon scope of PRYOR's duties, PRYOR undertook the responsibility.
7 However, an unexpected issue emerged when the florist erroneously signed the accompanying card as
8 "NAACT" instead of the intended "NAACP." Despite navigating through this unforeseen hiccup and
9 successfully completing the task, PRYOR found herself facing an unexpected challenge. To PRYOR's
10 dismay, she was scolded for the florist's mistake, despite PRYOR providing CALLENDER concrete
11 email evidence that clearly outlined the accurate instructions she sent to the florist.

12 20. On or about July 13, 2022, CALLENDER tasked PRYOR with composing the rationale
13 for the CA/HI NAACP Government Relations Specialist's termination. The termination itself occurred
14 during a Zoom call with the Personnel Committee, consisting of President CALLENDER, Carolyn
15 Veal-Hunter, and Lajuana Bivens. Subsequently, PRYOR was required to collect the Government
16 Relations Specialist's keys, draft his termination letter, and send the Government Relations Specialist his
17 last paycheck via priority mail.

18 21. In or around September and October 2022, PRYOR experienced several instances of
19 harassment from President CALLENDER concerning the planning of the CA/HI NAACP State
20 Convention, specifically regarding responsibilities related to payments, reimbursements, and operational
21 decisions. PRYOR was assigned the role of assisting with processing vendor and fellows' payments, as
22 well as managing reimbursements. Despite working closely with Treasurer Ms. Carolyn Veal-Hunter,
23 PRYOR's processing decisions were consistently challenged by President CALLENDER. While
24 PRYOR was instructed to utilize bill.com, the CA/HI NAACP's central tracking system, PRYOR
25 diligently explored various repayment options to ensure the CA/HI NAACP did not breach contracts
26 and payment agreements and was employing the most efficient and effective practices. PRYOR was also
27 required to manage the fundraising activities, including solicitation of funding, invoicing, and payment
28 tracking. Unfortunately, PRYOR's efforts were met with hostility from President CALLENDER.

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1 President CALLENDER forced PRYOR to use Facebook Messenger as the method of communication.
2 President CALLENDER frequently called PRYOR, questioning her whereabouts either by tracking her
3 Facebook Messenger location or monitoring her Google calendar. President CALLENDER frequently
4 Facebook video-called and messaged PRYOR during and after work hours, even late evening hours.
5 President CALLENDER refused to use employer-issued email and Google tools to communicate or
6 respond to PRYOR. President CALLENDER constantly accused PRYOR of being a liar even when
7 proof of the contrary was provided to him. President CALLENDER changed policies to fit his narrative.
8 President CALLENDER also used dark web email to facilitate PRYOR's suspension from the NAACP.

9 22. There were issues with signage for the State Convention. PRYOR emphasized that the
10 signage needed President CALLENDER's approval, but Events Chair Gail Bautista and
11 Communications Chair Anna Hopkins ordered the signage without waiting for President
12 CALLENDER's confirmation. This led to President CALLENDER's frustration with PRYOR, as he
13 assumed PRYOR approved the signage without his consent. PRYOR sent email proof to President
14 CALLENDER showing that Gail Bautista sent her approval for the signage to Anna Hopkins, but
15 President CALLENDER refused to acknowledge the documentation PRYOR provided to him,
16 perpetuating the false narrative that PRYOR authorized the signage.

17 23. Throughout the planning phase of the State Convention, there were multiple instances of
18 President CALLENDER berating PRYOR. In one instance, President CALLENDER initiated a
19 Facebook Messenger video call with PRYOR after a meeting and chastised PRYOR for correcting him
20 about the signage issue. President CALLENDER resorted to name-calling, such as calling PRYOR a
21 liar, and his tone toward PRYOR was aggressive and offensive. This deeply troubled PRYOR, as a single
22 mother of two sons, two sons who were forced to witness such a distressing interaction, and PRYOR
23 felt helpless in those moments. President CALLENDER's outbursts toward PRYOR were frequent and
24 abusive.

25 24. In or around October 2022, after several weeks of PRYOR working diligently to secure
26 Benjamin Crump as a guest speaker for the convention, and despite President CALLENDER signing a
27 contract with Benjamin Crump, President CALLENDER later attempted to cancel the contract with
28 Benjamin Crump. President CALLENDER also arranged for a less favorable room for Benjamin

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1 Crump, switching him from a suite to a two-queen bedroom.

2 25. During the convention, PRYOR received a phone call from President CALLENDER on
3 Facebook Messenger. PRYOR was in a meeting with Ayo Banjo, the Youth and College President, when
4 CALLENDER immediately launched into a conversation with PRYOR in a demeaning and aggressive
5 manner. While the specifics of that conversation escape PRYOR, the conversation left PRYOR in tears,
6 leading Ayo Banjo to console PRYOR after her conversation with CALLENDER, and Ayo Banjo
7 publicly recognized PRYOR for her hard work and dedication in planning the State Convention.

8 26. In or around October 2022, CA/HI NAACP encountered financial issues as the CA/HI
9 NAACP's credit card was declined. The CA/HI NAACP promised the youth attendees that it would
10 provide pizza. However, PRYOR had to pay for the pizza out of her own pocket. When it came time
11 for PRYOR's reimbursement for the business expense, President CALLENDER objected, claiming
12 PRYOR had not been instructed to cover the cost of the pizza. The Youth Advisor had to submit the
13 pizza receipt for reimbursement on behalf of PRYOR in order for PRYOR to be reimbursed for the
14 business expense.

15 27. In or around October 2022, PRYOR played a key role in coordinating the participation of
16 over fifty (50) speakers for multiple workshops for the convention, a contribution that went
17 unacknowledged. However, CA/HI NAACP and President CALLENDER made an effort to and did
18 recognize Kristine Yabumoto (Communications Specialist) and Gail Bautista (Events Chair), both Asian
19 women, in every possible setting.

20 28. Further, Events Chair Gail Bautista falsely accused PRYOR of inquiring about President
21 CALLENDER sharing a room with her during the State Convention, a query PRYOR never made.
22 President CALLENDER claimed that it was customary for the President and Events Chair to share a
23 room, but PRYOR never broached that subject. Next, President CALLENDER scolded PRYOR for
24 thirty (30) minutes on a Friday evening after hours regarding the room-sharing issue on a Facebook
25 Messenger call.

26 29. PRYOR also witnessed President CALLENDER treating NAACP local branch presidents
27 and members poorly, refusing to engage with them or offer even a few minutes to say hello. President
28 CALLENDER would respond to the NAACP local branch presidents by saying, "Can't you see I'm

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1 running a convention?" during these encounters. PRYOR witnessed the NAACP North San Diego
2 County President, Satia Austin, physically block and calm down an angry male local branch president
3 after being dismissed by President CALLENDER after the President's Dinner during the State
4 Convention. PRYOR also took complaints from members and officers of the NAACP Sacramento
5 Branch, who were met with hostility from President CALLENDER when they tried to pull President
6 CALLENDER to the side to introduce themselves.

7 30. In or around December 2022, PRYOR reached out to the Legacy Hall of Fame inductees
8 to secure their participation at the 2023 Legacy Event. PRYOR personally communicated and confirmed
9 the participation of 1964 Olympic champions John Carlos and Deloris Smith (Tommie Smith) in January
10 2023. However, a significant change occurred when President CALLENDER redirected this
11 responsibility, assigning Gail Bautista to handle the invitations and requiring that all related
12 correspondence be copied to both him and Gail Bautista. Subsequently, President CALLENDER's
13 delayed responses and approvals led to operational inefficiencies. For instance, a flight that could have
14 been booked in January 2023 was not secured until June 1, 2023, resulting in an additional cost of \$300
15 to \$400 for CA/HI NAACP. This delay not only incurred extra expenses but also prevented the event
16 details from being finalized by March 2023, as had been possible. This situation exemplifies challenges
17 within PRYOR's scope of work caused by restrictions imposed by President CALLENDER.

18 31. On or about January 23, 2023, President CALLENDER assigned Communications
19 Specialist Kristine Yabumoto the responsibility of locating an event venue. However, Kristine
20 Yabumoto lacked the experience and knowledge to effectively handle this task. The 2023 Legacy Event
21 was scheduled to take place in Sacramento, California, in June 2023.

22 32. Kristine Yabumoto struggled to provide the Events Committee with a sufficient
23 comparison of venue options, and she also was not required to collaborate with Events Chair Gail
24 Bautista. President CALLENDER and Gail Bautista opted to book the Embassy Suites without anyone
25 physically inspecting the venue. Fortunately, PRYOR conducted a thorough walkthrough of the
26 premises and immediately notified President CALLENDER about her findings. PRYOR had concerns
27 about the venue, but President CALLENDER inquired whether PRYOR had discussed her concerns
28 with Events Chair Gail Bautista. Subsequently, PRYOR reached out to Gail Bautista, conducting a video

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1 call and sharing her concerns with the venue and photographs. Despite providing evidence of the
2 concerns with venue, President CALLENDER and Gail Bautista delayed in finalizing a venue and opted
3 to conduct their own inspection, which took place more than a week later.

4 33. President CALLENDER engaged directly with Kristine Yabumoto. Eventually, another
5 venue was secured for the 2023 Legacy Event. If President CALLENDER allowed PRYOR to locate
6 the event venue from the outset, the CA/HI NAACP could have secured a more suitable venue.
7 PRYOR supplied three (3) bid comparisons and also looked into securing a private event center and
8 caterer, as an alternative to securing a hotel to save money. President CALLENDER, however, did not
9 look at PRYOR’s recommendations. For example, PRYOR successfully obtained a quote of \$1,200 for
10 audio/visual services from FSA Audio, a reputable sound company in Sacramento, California, that has
11 provided services to companies like ARCO Arena and Thunder Valley Casino Resort. President
12 CALLENDER, during a discussion with the Events Committee, expressed his lack of trust in PRYOR’s
13 recommendations because he was not pleased with the sound company he contracted at the 2022
14 CA/HI NAACP State Convention, even though PRYOR did not endorse the previous sound company
15 for the State Convention. The sound company used for the 2022 State Convention was recommended
16 by Labor Chair Mike Davis.

17 34. Additionally, President CALLENDER and Gail Bautista selected the Sheraton Grand for
18 the 2023 Legacy Event, resulting in an expense exceeding \$9,000 for sound services provided by the
19 hotel. PRYOR was tasked with identifying a decorator, but PRYOR’s recommendation went unheeded
20 due to President CALLENDER’s concern that PRYOR might be receiving kickbacks from vendors.

21 35. In or around February 2023, PRYOR devoted substantial hours each week to collaborating
22 closely with the staff, guiding the creation of clear and understandable programming, letters, and
23 analyses. PRYOR also implemented systems to effectively track staff activities, events, and assignments.
24 Unfortunately, President CALLENDER fostered a work environment where staff members were pitted
25 against each other. President CALLENDER instructed the Communications Specialist, Kristine
26 Yabumoto, to “manage” Taneicia Herring, the Government Affairs Specialist (another Black woman),
27 and to participate in press conferences about bills while directly working with Legislative Staff.

28 ///

1 36. In response to the divisive work atmosphere, PRYOR took proactive measures to ensure
2 that the staff remained on the same page at all times. PRYOR addressed the challenges that arose from
3 President CALLENDER’s directives, emphasizing the importance of unity within the team. However,
4 PRYOR later discovered that President CALLENDER was propagating a narrative, not only to staff
5 but also to Executive Committee members, that portrayed her as an inadequate and ineffective leader.
6 President CALLENDER falsely claimed that the staff felt uncomfortable following PRYOR’s guidance
7 and lacked respect for her. This situation exemplifies instances where duties outlined in PRYOR’s scope
8 of services were unjustly restricted, hindering her ability to fulfill her role effectively.

9 37. In or around March 2023, PRYOR emailed State Director Lajuana Bivens, reporting
10 President CALLENDER for creating a discriminatory and hostile work environment that severely
11 affected her. In this communication, PRYOR detailed the extensive work she had undertaken since
12 January 2023, emphasizing how President CALLENDER’s hostility toward her and his lack of
13 responsiveness had impeded their progress. In response to PRYOR’s emailed complaint, it appeared
14 that President CALLENDER agreed to step aside for 60 days, allowing the Personnel Committee to
15 assess PRYOR’s capabilities. During this time, PRYOR and the CA/HI NAACP achieved more
16 progress in just three weeks than in the previous three months. PRYOR orchestrated over 40 meetings
17 with legislators for Legislative Day attendees and scheduled meetings for the executive officers.
18 However, only two officers attended, and President CALLENDER was unwilling to meet with the
19 Governor’s staff, the Senate Pro Tempore, and the Assembly Speaker without the presence of all
20 officers. PRYOR later discovered that President CALLENDER held her responsible for his executive
21 officers not attending the Legislative Day event.

22 38. In or around March 2023, despite PRYOR’s repeated efforts to obtain approvals from
23 President CALLENDER through emails and Google tools, PRYOR did not receive any response from
24 President CALLENDER, hindering her ability to complete the necessary work. One of PRYOR’s tasks
25 involved collaborating with State Director Lajuana Bivens and Youth Advisor Satia Austin to plan a
26 Leadership Retreat, initially slated for January 2023. Unfortunately, due to President CALLENDER’s
27 uncooperative stance, the Leadership Retreat had to be rescheduled to March 2023. Also, concerning
28 another task, President CALLENDER instructed PRYOR to include a legal component in the

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1 Leadership Retreat and to specifically contact Janette McCarthy Wallace, NAACP General Counsel.
2 However, when PRYOR reached out to Janette McCarthy Wallace concerning the legal component of
3 the retreat, Janette McCarthy Wallace did not respond. Seeking assistance, PRYOR reached out to
4 President CALLENDER to contact Janette McCarthy Wallace. President CALLENDER refused to
5 assist PRYOR with contacting Janette McCarty Wallace for the legal component of the Leadership
6 Retreat. Again, President CALLENDER’s conduct posed a significant challenge to PRYOR’s ability to
7 complete her duties.

8 39. In or around May 2023, the day before Legislative Day, the Executive Committee held a
9 meeting, and PRYOR was responsible for organizing the Executive Committee meeting. Once more,
10 President CALLENDER declined to review PRYOR’s documents (i.e., agendas, supporting
11 documentation, and menu selections) for approval. President CALLENDER also wished to arrange a
12 dinner for the California NAACP local branch Presidents but did not offer any food preferences or
13 approve of PRYOR’s food suggestions within the timeframe required by the hotel and restaurant.
14 Ultimately, the Personnel Committee, Ms. Bivens and Ms. Veal-Hunter, approved the Executive
15 Committee meeting venue and the lunch choices. President CALLENDER approved the dinner menu
16 two (2) days prior to the event and weeks after the deadline imposed by the restaurant.

17 40. On or about May 15, 2023, President CALLENDER requested a meeting with PRYOR
18 to discuss submitting a sponsorship request to Santa Clara Valley Water, where he served as CEO. In
19 this meeting, President CALLENDER instructed PRYOR to seek a \$5,000 sponsorship for an
20 Environmental Justice roundtable and reception. President CALLENDER emphasized the need to keep
21 his involvement discreet. Despite time constraints, PRYOR promptly submitted the request per
22 President CALLENDER’s instructions. However, later, President CALLENDER denied instructing
23 PRYOR to request funds for a roundtable, claiming it was done incorrectly. Subsequently, President
24 CALLENDER sent a hostile email, gaslighting PRYOR about his prior instructions and involvement.
25 President CALLENDER even accused PRYOR of trying to create an audit trail at his job. This event
26 was under PRYOR’s purview according to her contract, yet another situation in which her ability to do
27 her job was impeded.

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1 41. In or around May 2023, the CA/HI NAACP hosted a reception at the National NAACP
2 Board of Directors Meeting in San Francisco, California. PRYOR received a Facebook Messenger
3 message instructing her and the staff to be in San Francisco, California to work the reception. PRYOR
4 immediately informed President CALLENDER that she would not be able to attend the reception due
5 to a prior commitment. Government Relations Specialist Taneicia Herring also had a prior commitment
6 that could not be changed. Communications Specialist Kristine Yabumoto agreed to attend despite her
7 prior commitments, stating she had to “take one for the team.” President CALLENDER seemed to
8 think PRYOR and Taneicia Herring conspired to avoid attending the reception, and his suspicion
9 divided the staff. President CALLENDER also attempted to limit the attendance of California NAACP
10 local branches at the reception. President CALLENDER only extended invitations to five local branches
11 in the Bay Area. President CALLENDER’s exclusionary approach seemed to stem from a personal
12 issue he held against Betty Williams, the NAACP Sacramento President (and former Executive Director
13 of the CA/HI NAACP), and President CALLENDER even instructed PRYOR to uninvite Betty
14 Williams, which PRYOR found inappropriate coming from herself as a staff member, and should have
15 been communicated by either President CALLENDER or Events Chair Gail Bautista.

16 42. In or around June 2023, PRYOR took the lead in CA/HI NAACP’s pursuit of the
17 prestigious Thalheimer Award, a responsibility PRYOR successfully managed the previous year.
18 PRYOR’s role included crafting the CA Freedom Fund submission and guiding the staff in completing
19 their submissions. However, President CALLENDER interjected himself into the process and directed
20 the staff to send their submissions directly to him. The reports submitted did not meet the professional
21 standard of staff work, and PRYOR had not been given the opportunity to review them since they were
22 sent directly to President CALLENDER. It later came to PRYOR’s attention that the staff had been
23 advised not to collaborate with her. This interference had been ongoing for months, with President
24 CALLENDER consistently undermining PRYOR and unjustly attributing entry-level staff work to her
25 responsibilities. Despite this challenge, PRYOR was able to get this task back on track and the CA/HI
26 NAACP won the Thalheimer Award for the second year in a row.

27 43. On or about June 23, 2023, during the planning of the Legacy Event in Sacramento,
28 PRYOR obtained a quote for decorations, including linens, table decorations with two to three assorted

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1 cylinder vases per table, mirrors, floating candles, decorated stones, and chair covers. The total cost for
2 providing these services, which included setup, breakdown, and delivery, was \$2,000. This was
3 significantly lower than the market rate of \$6,000 for the requested services. When Gail Bautista, the
4 Events Chair, inquired about a non-profit discount, the vendor explained that the job was already
5 discounted and did not reduce the price further. Despite this, President CALLENDER insisted that he
6 would not use the vendor’s services, claiming PRYOR was receiving a kickback.

7 44. In or around July 2023, after PRYOR delivered an outstanding Executive Director Report
8 during the Executive Committee meeting, President CALLENDAR informed PRYOR, in front of the
9 entire Executive Committee, that she would not be permitted to attend the NAACP National
10 Convention—while also announcing that Communications Specialist Kristine Yabumoto and
11 Government Relations Specialist Taneicia Herring would be attending the NAACP National
12 Convention. President CALLENDAR’s delivery of the announcement appeared to be in a manner to
13 humiliate and embarrass PRYOR in front of the entire Executive Committee. PRYOR was surprised,
14 humiliated, and embarrassed. Unbeknownst to PRYOR, Communications Specialist Kristine Yabumoto
15 and Government Relations Specialist Taneicia Herring had been participating in meetings with the
16 Board Chairman, an inappropriate action given the presence of a senior-level person in PRYOR’s
17 position. Faced with this situation, PRYOR decided to delegate the coordination of the CA/HI NAACP
18 Region 1 meeting during the National NAACP Convention to Taneicia Herring. PRYOR provided
19 Taneicia Herring with clear instructions documented in an email because PRYOR successfully planned
20 the same meeting the previous year. However, President CALLENDER emailed Taneicia Herring,
21 stating that she should take all direction from him. President CALLENDER’s interference led to the
22 State Conference conducting its first-ever Region 1 meeting on Zoom instead of in person. In an attempt
23 to mitigate issues arising from Taneicia Herring’s inexperience, PRYOR intervened twice on Taneicia
24 Herring’s behalf, directly communicating with the hotel. Through PRYOR’s intervention, PRYOR
25 discovered that, due to Taneicia Herring’s inexperience with planning the Region 1 meeting, Taneicia
26 Herring made a verbal agreement for a specific amount to reserve the meeting space and an exorbitant
27 amount for food.

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1 45. On or about August 9, 2023, PRYOR involuntarily resigned from her position with the
2 CA/HI NAACP. PRYOR communicated her involuntary resignation through her attorney, giving the
3 45-day required notice. However, on or about August 14, 2023, CA/HI NAACP revoked PRYOR’s
4 access to the CA/HI NAACP Google Drive. PRYOR asked President CALLENDER about the Google
5 Drive access issue. President CALLENDER responded to PRYOR that he was not sure what PRYOR
6 was referring to and asked for clarification on the coordination work she was overseeing, asking PRYOR
7 to submit a list or update to him and the Events Chair, Gail Bautista. Unfortunately, PRYOR was unable
8 to provide President CALLENDER an update on the coordination work due to CA/HI NAACP
9 prematurely revoking her access to the Google drive, creating a communication barrier and complicating
10 the transition process.

11 46. On or about August 18, 2023, Kim Talley, Partner at Constangy, Brooks, Smith &
12 Prophete, LLP, reached out to PRYOR’s attorney, informing him that she would be representing the
13 CA/HI NAACP in response to PRYOR’s claim of misclassification and discrimination. Kim Talley
14 asserted that all future correspondence and communications, excluding the service process, should be
15 directed to her.

16 47. On or about October 21, 2023, President CALLENDER attended a National NAACP
17 Board Meeting in Atlanta, Georgia. President CALLENDER presented an email from someone named
18 “Sarah Q. Public”, which was later determined to come from the dark web. The email stated, among
19 other things:

20 Betty Williams and her company 1 Solution have been taking money and
21 writing themselves checks from the Sacramento Chapter NAACP for a long
22 time which violate the bylaws, IRS rules, and the law. Whats even worse is so
23 have most [sic] the people on her executive committee. They are getting paid
24 big dollars. So far here is who we have proof of getting illegally paid from the
Sacramento Chapter. Betty Williams, Ardell Harrison, Angelina Veal, Lorraine
Moore, Velma Skyes [sic], [PRYOR] and likely many more people.

25 It’s a fact that the Sacramento NAACP received the following Sacramento
26 County funding and a lot of it went to Betty Williams, 1 Solution and others
27 on the Sacramento Board including Ardell Harrison, Angelina Veal, Lorraine
Moore, Velma Sykes and [PRYOR]....

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1 48. President CALLENDER presented the email during the National NAACP Board Meeting
2 as fact and had members of the Sacramento NAACP branch suspended, including PRYOR, President
3 Betty Williams, Treasurer Dafna Gauthier, Secretary Lorraine Moore, former Third Vice President Ken
4 Nelson, and current Second Vice President Velma Sykes. Everyone, except PRYOR, were officers of
5 the Sacramento NAACP branch. Additionally, everyone except PRYOR, as she was not an officer of
6 the Sacramento NAACP branch, could vote in the CA/HI NAACP Election, scheduled for October
7 28, 2023. PRYOR was a volunteer appointed as Education Chair for the Sacramento NAACP branch.
8 Furthermore, Sacramento NAACP branch President Betty Williams was slated to run against CA/HI
9 NAACP President CALLENDER prior to the emergence of this email through President
10 CALLENDER.

11 49. On or about October 23, 2023, PRYOR received a letter from the National NAACP
12 stating that she was suspended from the NAACP and the Sacramento Branch NAACP because she
13 “may have participated in financial impropriety.” The suspension letter goes on to state, “[b]y engaging
14 in such inappropriate activity and by using the [NAACP’s] name and resources for personal benefit,
15 [PRYOR has] engaged in conduct that is inimical to the best interests of the [NAACP].”

16 50. PRYOR understood this suspension letter to be in reference to payments her business
17 received as a subcontractor to a grant program called the “Dine In 2 Program.” PRYOR was surprised
18 by the suspension letter as she was only one of many subcontractors of the subject program who
19 received payments for work performed under the program. Additionally, the NAACP accused PRYOR
20 of mismanaging funds and using the NAACP’s name and resources for personal benefit, but PRYOR
21 was not an officer of the Sacramento NAACP and was not authorized to manage, distribute, receive, or
22 execute funds on behalf of the Sacramento NAACP or the Dine In 2 Program.

23 51. On or about October 28, 2023, The CA/HI NAACP Election took place. President
24 CALLENDER ran uncontested.

25 52. On or about November 17, 2023, the NAACP sent PRYOR a second letter regarding
26 “NAACP Sacramento Branch Financial Transactions,” referencing a review of the NAACP Sacramento
27 Branch’s financial records. In the letter, the NAACP indicated they had questions about certain financial
28 transactions but only requested that PRYOR explain payments that her business received as a

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1 subcontractor to the Dine In 2 Program implemented by the NAACP Sacramento Branch and
2 directed/overseen by the NAACP Sacramento Branch President Betty Williams and NAACP
3 Sacramento Branch Treasurer Dafna Gauthier.

4 53. As a subcontractor to the Dine In 2 Program administered by the NAACP Sacramento
5 Branch, from April 2022 to June 2023, PRYOR, through her business the Black Small Business
6 Association of California (BSBA), performed work under a memorandum of understanding related to
7 the Dine In 2 Program and submitted invoices to the NAACP Sacramento Branch for the work
8 performed consistent with the requirements of the memorandum of understanding and the Dine In 2
9 Program. Specifically, the NAACP Sacramento Branch agreed and budgeted to pay the BSBA \$8,000
10 per month to perform business compliance duties for the Dine In 2 Program Meal Feeding Contract
11 (not the Dine In 2 Program Outreach and Education Contract).

12 54. After receiving the November 17, 2023 NAACP’s second letter regarding “NAACP
13 Sacramento Branch Financial Transactions,” it became clear to PRYOR that the NAACP did not have
14 the documents from the Dine In 2 Program, including the support for the financial transactions, nor
15 did the NAACP have the information to support or justify her suspension. Not only did the NAACP
16 suspend PRYOR without support or justification, but the NAACP also did not conduct an adequate
17 investigation prior to suspending PRYOR.

18 55. On or about November 17, 2023, PRYOR’s attorney sent the NAACP a “Letter of
19 Preservation and Non-Spoilation & Request for Personnel File and Payroll Records” concerning
20 PRYOR’s employment with the NAACP. The NAACP did not respond to PRYOR’s attorney’s
21 correspondence.

22 56. However, in or around December 2023, CA/HI NAACP President CALLENDAR
23 and/or the NAACP published and/or provided false and defamatory information concerning PRYOR
24 to the Sacramento Bee. Thereafter, the Sacramento Bee published four articles, dated January 8, 2024,
25 January 16, 2024, January 18, 2024, and January 29, 2025, which claimed the following: (1) PRYOR was
26 a Sacramento NAACP Branch leader who mismanaged Sacramento County funds and hired herself; (2)
27 “Williams, the California civil rights stalwart and longest-serving president in the Sacramento chapter’s
28 history, and branch education chair Salena Pryor, were among six executive officers suspended in

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1 October by the national civil rights organization for alleged financial improprieties, including the use of
2 their positions for financial gain[]”; (3) “Betty Williams and education chair Salena Pryor appear to have
3 used their staffing and consulting firms to operate the Dine-In 2 program and paid themselves with
4 county funds....”; (4) “Williams and Pryor appear to have used their staffing and consulting firms to
5 operate the food program, Dine-In 2, and paid themselves more than \$145,000 in county funds
6 earmarked for contractors’ salaries”; and (5) “[o]ne organization paid through a CBCC contract received
7 over \$100,000 in COVID relief. The same contractor is under investigation by Sacramento County for
8 misuse of funds for another COVID relief contract, in which local restaurants and the NAACP are
9 accused of embezzlement. The NAACP said its name was used without permission[,]” (referencing
10 PRYOR’s business, BSBA).

11 57. PRYOR’s role at the NAACP Sacramento Branch was as a volunteer, where she
12 volunteered as the Chair of the Education Committee from 2020 August 2023. In this context, PRYOR
13 conducted meetings with individuals interested in contributing to the education sector, developed
14 meeting agendas, and forwarded any complaints to a third-party student advocacy organization.
15 PRYOR’s Education Chair position was not an NAACP Sacramento Officer position, as outlined in
16 Article XIII, Section 5(g) of the NAACP Bylaws for Units. Further, PRYOR was not authorized to
17 manage, distribute, receive, or execute funds on behalf of the Sacramento NAACP or the Dine In 2
18 Program—those duties were exclusive to the Sacramento NAACP President Betty Williams and
19 Sacramento NAACP Treasurer Dafna Gauthier, as outlined by the NAACP Bylaws for Units.

20 58. On or about May 9, 2024, PRYOR received a phone call alleging that President
21 CALLENDER accused her of inflating vendor prices by 15% for the Black Small Business Association
22 (BSBA) related transactions and taking the extra money as a kickback.

23 59. On or about December 6, 2024, NAACP sent PRYOR another suspension letter with
24 falsehoods, including that they conducted a hearing on September 5, 2024, at the request of PRYOR,
25 even though the hearing was conducted without PRYOR’s knowledge and without PRYOR being
26 present. In this letter, the NAACP indicated a panel of three NAACP Board members was convened
27 and a hearing was held on September 5, 2024 (without PRYOR’s knowledge and without PRYOR
28 present). The NAACP also indicated the Committee on Membership and Units of the NAACP National

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1 Board of Directors (in which President CALLENDER was a sitting committee member at the time)
2 made recommendations to the full NAACP Board of Directors, and the NAACP Board of Directors
3 voted to sustain PRYOR’s suspension for five years, commencing from October 19, 2024.

4 60. As a result of CA/HI NAACP President CALLENDAR and/or the NAACP publishing
5 false and defamatory statements about PRYOR, PRYOR’s businesses were significantly impacted,
6 leading to the loss of at least two contracts minimum (valued at over 3 million dollars). The damaging
7 consequences of the false and defamatory statements have negatively and unfairly affected PRYOR’s
8 professional standing and have had severe repercussions on her ability to secure contracts.

9 **ADMINISTRATIVE EXHAUSTION**

10 61. On or about February 27, 2025, PRYOR filed a complaint with the California Civil Rights
11 Department (“CCRD”).

12 62. On or about February 27, 2025, the CCRD issued PRYOR a Notice of Case Closure and
13 Right to Sue.

14 **FIRST CAUSE OF ACTION**

15 **Race and Gender Discrimination – Disparate Treatment (Gov. Code § 12940(a))**

16 63. The allegations set forth in this complaint are hereby re-alleged and incorporated by
17 reference.

18 64. This cause of action is asserted against Defendants NAACP, NATIONAL
19 ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, CALIFORNIA HAWAII
20 STATE CONFERENCE OF THE NAACP, NAACP CALIFORNIA HAWAII STATE
21 CONFERENCE, CALIFORNIA HAWAII STATE CONFERENCE, and ENRICO “RICK”
22 LYDELL CALLENDER, and DOES 1-100.

23 65. At all times relevant to this action, the California Fair Employment and Housing Act and
24 California Government Code section 12940, *et seq.*, were in full force and effect and binding on
25 Defendant(s).

26 66. Defendant(s) is/are an “employer” as defined in Government Code section 12926(d).

27 67. Plaintiff, as an employee of Defendant(s), was a covered employee under FEHA.

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1 68. Defendant(s) subjected Plaintiff to adverse employment actions, including, but not limited
2 to, constructive discharge, and creating the overall hostile terms and conditions of Plaintiff's
3 employment. Defendant(s) condoned an environment that, among other things, tolerated and
4 encouraged discrimination based on Plaintiff's race and gender that materially and negatively impacted
5 the terms and conditions of Plaintiff's employment.

6 69. Plaintiff is a member of a class protected by FEHA. Plaintiff's race and/or ethnicity is
7 Black or African American. Plaintiff's gender is woman or female. Plaintiff's race and/or ethnicity and
8 gender were a substantial motivating reason(s) for Defendant(s)' decision to subject Plaintiff to adverse
9 employment actions, including, but not limited to, constructive discharge, and creating the overall hostile
10 terms and conditions of Plaintiff's employment.

11 70. Plaintiff was harmed.

12 71. Defendant(s)' unlawful conduct was a substantial factor in causing Plaintiff to suffer
13 general and special damages, including, but not limited to, economic damages and non-economic
14 damages, in excess of this court's jurisdiction according to proof at trial. Accordingly, Defendant(s)'
15 conduct violated Government Code section 12940, subdivision (a), and California Code of Regulations,
16 Title 2, section 11006.

17 72. As an actual and proximate result of Defendant(s)' unlawful conduct, Plaintiff has lost
18 wages, benefits, and has incurred other out-of-pocket expenses.

19 73. As a proximate result of the aforementioned violation, Plaintiff has been damaged in an
20 amount according to proof, but in an amount in excess of the jurisdiction of this Court. Plaintiff also
21 seeks "affirmative relief" or "prospective relief" as defined by Government Code section 12926(a).

22 74. As an actual and proximate result of Defendant(s)' unlawful conduct, Plaintiff suffered
23 physical injury, including, but not limited to, crying, fatigue, headaches, insomnia, sleeplessness, migraine
24 headaches, night sweats, and panic attacks. Plaintiff also experienced emotional distress, including, but
25 not limited to, aggravation, agitation, anger, angst, anguish, anxiety, confusion, damage to reputation,
26 depression, embarrassment, fear of inadequacy, frustration, hopelessness, humiliation, loss of
27 confidence, nightmares, Post Traumatic Stress Disorder, sadness, self-image issues, shame, shock, social
28 isolation, stress, trouble concentrating, trust issues, and worry.

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1 75. The above-described actions were perpetrated and/or ratified by a managing agent or
2 officer of Defendant(s). These acts were done with malice, fraud, oppression, and in reckless disregard
3 of Plaintiff's rights. Further, said actions were despicable in character and warrant the imposition of
4 punitive damages in a sum sufficient to punish and deter Defendant(s)' future conduct.

5 **SECOND CAUSE OF ACTION**

6 **Race and Gender Discrimination – Disparate Impact (Gov. Code § 12940(a))**

7 76. The allegations set forth in this complaint are hereby re-alleged and incorporated by
8 reference.

9 77. This cause of action is asserted against Defendants NAACP, NATIONAL
10 ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, CALIFORNIA HAWAII
11 STATE CONFERENCE OF THE NAACP, NAACP CALIFORNIA HAWAII STATE
12 CONFERENCE, CALIFORNIA HAWAII STATE CONFERENCE, and ENRICO "RICK"
13 LYDELL CALLENDER, and DOES 1-100.

14 78. At all times relevant to this action, the California Fair Employment and Housing Act and
15 California Government Code section 12940, *et seq.*, were in full force and effect and binding on
16 Defendant(s).

17 79. Defendant(s) is/are an "employer" as defined in Government Code section 12926(d).

18 80. Plaintiff, as an employee of Defendant(s), was a covered employee under FEHA.

19 81. Defendant(s) had an employment practice of management and/or discipline that had a
20 disproportionate adverse effect on Black or African American women employees.

21 82. Plaintiff is a member of one or more classes protected by FEHA. Plaintiff's race and/or
22 ethnicity and gender are identified as a Black or African American woman.

23 83. Plaintiff was harmed.

24 84. Defendant(s)' employment practice was a substantial factor in causing Plaintiff to suffer
25 general and special damages, including economic damages and non-economic damages, in excess of this
26 court's jurisdiction according to proof at trial. Accordingly, Defendant(s)' conduct violated Government
27 Code section 12940(a), and California Code of Regulations, Title 2, section 11006.

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1 85. As an actual and proximate result of Defendant(s)' unlawful conduct, Plaintiff has lost
2 wages, benefits, and has incurred other out-of-pocket expenses.

3 86. As a proximate result of the aforementioned violation, Plaintiff has been damaged in an
4 amount according to proof, but in an amount in excess of the jurisdiction of this Court. Plaintiff also
5 seeks "affirmative relief" or "prospective relief" as defined by Government Code section 12926(a).

6 87. As an actual and proximate result of Defendant(s)' unlawful conduct, Plaintiff suffered
7 physical injury, including, but not limited to, crying, fatigue, headaches, insomnia, sleeplessness, migraine
8 headaches, night sweats, and panic attacks. Plaintiff also experienced emotional distress, including, but
9 not limited to, aggravation, agitation, anger, angst, anguish, anxiety, confusion, damage to reputation,
10 depression, embarrassment, fear of inadequacy, frustration, hopelessness, humiliation, loss of
11 confidence, nightmares, Post Traumatic Stress Disorder, sadness, self-image issues, shame, shock, social
12 isolation, stress, trouble concentrating, trust issues, and worry.

13 88. The above-described actions were perpetrated and/or ratified by a managing agent or
14 officer of Defendant(s). These acts were done with malice, fraud, oppression, and in reckless disregard
15 of Plaintiff's rights. Further, said actions were despicable in character and warrant the imposition of
16 punitive damages in a sum sufficient to punish and deter Defendant(s)' future conduct.

17 **THIRD CAUSE OF ACTION**

18 **Hostile Work Environment Harassment (Gov. Code § 12940(j))**

19 89. The allegations set forth in this complaint are hereby re-alleged and incorporated by
20 reference.

21 90. This cause of action is asserted against Defendants NAACP, NATIONAL
22 ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, CALIFORNIA HAWAII
23 STATE CONFERENCE OF THE NAACP, NAACP CALIFORNIA HAWAII STATE
24 CONFERENCE, CALIFORNIA HAWAII STATE CONFERENCE, and ENRICO "RICK"
25 LYDELL CALLENDER, and DOES 1-100.

26 91. At all times relevant to this action, the California Fair Employment and Housing Act and
27 California Government Code section 12940, *et seq.*, were in full force and effect and binding on
28 Defendants.

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1 92. Defendant is an “employer” as defined in Government Code section 12926(d).

2 93. Plaintiff, as an employee of Defendant(s), was a covered employee under FEHA.

3 94. Plaintiff was subjected to unwanted harassing conduct because she is a Black or African
4 American woman.

5 95. The harassing conduct was severe or pervasive.

6 96. A reasonable Black or African American woman in Plaintiff’s circumstances would have
7 considered the work environment to be hostile or abusive.

8 97. Plaintiff considered the work environment to be hostile or abusive.

9 98. Defendant(s) or its supervisor or agents knew or should have known of the conduct and
10 failed to take immediate and appropriate corrective action.

11 99. Plaintiff was harmed.

12 100. Defendant(s)’s unlawful conduct was a substantial factor in causing Plaintiff to suffer
13 general and special damages, including economic damages and non-economic damages, in excess of this
14 court’s jurisdiction according to proof at trial. Accordingly, Defendant(s)’ conduct violated Government
15 Code section 12940, subdivision (j), and California Code of Regulations, Title 2, section 11019.

16 101. As an actual and proximate result of Defendant(s)’ unlawful conduct, Plaintiff has lost
17 wages, benefits, and has incurred other out-of-pocket expenses.

18 102. As a proximate result of the aforementioned violation, Plaintiff has been damaged in an
19 amount according to proof, but in an amount in excess of the jurisdiction of this Court. Plaintiff also
20 seeks “affirmative relief” or “prospective relief” as defined by Government Code section 12926(a).

21 103. As an actual and proximate result of Defendant(s)’ unlawful conduct, Plaintiff suffered
22 physical injury, including, but not limited to, crying, fatigue, headaches, insomnia, sleeplessness, migraine
23 headaches, night sweats, and panic attacks. Plaintiff also experienced emotional distress, including, but
24 not limited to, aggravation, agitation, anger, angst, anguish, anxiety, confusion, damage to reputation,
25 depression, embarrassment, fear of inadequacy, frustration, hopelessness, humiliation, loss of
26 confidence, nightmares, Post Traumatic Stress Disorder, sadness, self-image issues, shame, shock, social
27 isolation, stress, trouble concentrating, trust issues, and worry.

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1 104. The above-described actions were perpetrated and/or ratified by a managing agent or
2 officer of Defendant(s). These acts were done with malice, fraud, oppression, and in reckless disregard
3 of Plaintiff's rights. Further, said actions were despicable in character and warrant the imposition of
4 punitive damages in a sum sufficient to punish and deter Defendant(s)' future conduct.

5 **FOURTH CAUSE OF ACTION**

6 **Retaliation (Gov. Code § 12940(h))**

7 105. The allegations set forth in this complaint are hereby re-alleged and incorporated by
8 reference.

9 106. This cause of action is asserted against Defendants NAACP, NATIONAL
10 ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, CALIFORNIA HAWAII
11 STATE CONFERENCE OF THE NAACP, NAACP CALIFORNIA HAWAII STATE
12 CONFERENCE, CALIFORNIA HAWAII STATE CONFERENCE, and ENRICO "RICK"
13 LYDELL CALLENDER, and DOES 1-100.

14 107. At all times relevant to this action, the California Fair Employment and Housing Act and
15 California Government Code section 12940, *et seq.*, were in full force and effect and binding on
16 Defendants.

17 108. Defendant is an "employer" as defined in Government Code section 12926(d).

18 109. Plaintiff, as an employee of Defendant(s), was a covered employee under FEHA.

19 110. Plaintiff reported and/or made complaints to Defendant(s) regarding race discrimination,
20 hostile work environment harassment, unequal pay, and/or retaliation.

21 111. Defendant(s) subjected Plaintiff to adverse employment actions, including but not limited
22 to, constructive discharge, and creating the overall hostile terms and conditions of Plaintiff's
23 employment.

24 112. Plaintiff's reports/or complaints to Defendant(s) regarding race and gender
25 discrimination, hostile work environment harassment, and/or retaliation was a substantial motivating
26 reason for Defendant(s)' decision to subject Plaintiff to adverse employment actions, including but not
27 limited to, constructive discharge, and creating the overall hostile terms and conditions of Plaintiff's
28 employment.

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1 113. Plaintiff was harmed.

2 114. Defendant(s)' decision to subject Plaintiff to adverse employment actions, including but
3 not limited to, constructive discharge, and creating the overall hostile terms and conditions of Plaintiff's
4 employment, was a substantial factor in causing Plaintiff to suffer general and special damages including
5 economic damages and non-economic damages in excess of this court's jurisdiction according to proof
6 at trial. Accordingly, Defendant(s)'s conduct violated Government Code section 12940, subdivision (h),
7 and California Code of Regulations, Title 2, section 11021.

8 115. As an actual and proximate result of Defendant(s)' unlawful conduct, Plaintiff has lost
9 wages, benefits, and has incurred other out-of-pocket expenses.

10 116. As a proximate result of the aforementioned violation, Plaintiff has been damaged in an
11 amount according to proof, but in an amount in excess of the jurisdiction of this Court. Plaintiff also
12 seeks "affirmative relief" or "prospective relief" as defined by Government Code section 12926(a).

13 117. As an actual and proximate result of Defendant(s)' unlawful conduct, Plaintiff suffered
14 physical injury, including, but not limited to, crying, fatigue, headaches, insomnia, sleeplessness, migraine
15 headaches, night sweats, and panic attacks. Plaintiff also experienced emotional distress, including, but
16 not limited to, aggravation, agitation, anger, angst, anguish, anxiety, confusion, damage to reputation,
17 depression, embarrassment, fear of inadequacy, frustration, hopelessness, humiliation, loss of
18 confidence, nightmares, Post Traumatic Stress Disorder, sadness, self-image issues, shame, shock, social
19 isolation, stress, trouble concentrating, trust issues, and worry.

20 118. The above-described actions were perpetrated and/or ratified by a managing agent or
21 officer of Defendant(s). These acts were done with malice, fraud, oppression, and in reckless disregard
22 of Plaintiff's rights. Further, said actions were despicable in character and warrant the imposition of
23 punitive damages in a sum sufficient to punish and deter Defendant(s)' future conduct.

24 **FIFTH CAUSE OF ACTION**

25 **Failure to Prevent Discrimination, Harassment, and Retaliation (Gov. Code § 12940(k))**

26 119. The allegations set forth in this complaint are hereby re-alleged and incorporated by
27 reference.

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1 120. This cause of action is asserted against Defendants NAACP, NATIONAL
2 ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, CALIFORNIA HAWAII
3 STATE CONFERENCE OF THE NAACP, NAACP CALIFORNIA HAWAII STATE
4 CONFERENCE, CALIFORNIA HAWAII STATE CONFERENCE, and ENRICO “RICK”
5 LYDELL CALLENDER, and DOES 1-100.

6 121. At all times relevant to this action, the California Fair Employment and Housing Act and
7 California Government Code section 12940, *et seq.*, were in full force and effect and binding on
8 Defendants.

9 122. Defendant is an “employer” as defined in Government Code section 12926(d).

10 123. Plaintiff, as an employee of Defendant(s), was a covered employee under FEHA.

11 124. Plaintiff was subjected to discrimination, harassment, and retaliation in the course of his
12 employment. Specifically, Plaintiff was subjected to adverse employment actions, including but not
13 limited to, constructive discharge, and creating the overall hostile terms and conditions of Plaintiff’s
14 employment.

15 125. Defendant(s) failed to take all reasonable steps to prevent the discrimination, harassment,
16 and retaliation.

17 126. Plaintiff was harmed.

18 127. Defendant(s)’ failure to take all reasonable steps to prevent discrimination was a
19 substantial factor in causing Plaintiff to suffer general and special damages including economic damages
20 and non-economic damages in excess of this court’s jurisdiction according to proof at trial. Accordingly,
21 Defendant(s)’s conduct violated Government Code section 12940, subdivision (k), and California Code
22 of Regulations, Title 2, section 11023.

23 128. As an actual and proximate result of Defendant(s)’ unlawful conduct, Plaintiff has lost
24 wages, benefits, and has incurred other out-of-pocket expenses.

25 129. As a proximate result of the aforementioned violation, Plaintiff has been damaged in an
26 amount according to proof, but in an amount in excess of the jurisdiction of this Court. Plaintiff also
27 seeks “affirmative relief” or “prospective relief” as defined by Government Code section 12926(a).

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1 130. As an actual and proximate result of Defendant(s)' unlawful conduct, Plaintiff suffered
2 physical injury, including, but not limited to, crying, fatigue, headaches, insomnia, sleeplessness, migraine
3 headaches, night sweats, and panic attacks. Plaintiff also experienced emotional distress, including, but
4 not limited to, aggravation, agitation, anger, angst, anguish, anxiety, confusion, damage to reputation,
5 depression, embarrassment, fear of inadequacy, frustration, hopelessness, humiliation, loss of
6 confidence, nightmares, Post Traumatic Stress Disorder, sadness, self-image issues, shame, shock, social
7 isolation, stress, trouble concentrating, trust issues, and worry.

8 131. The above-described actions were perpetrated and/or ratified by a managing agent or
9 officer of Defendant(s). These acts were done with malice, fraud, oppression, and in reckless disregard
10 of Plaintiff's rights. Further, said actions were despicable in character and warrant the imposition of
11 punitive damages in a sum sufficient to punish and deter Defendant(s)' future conduct.

SIXTH CAUSE OF ACTION

Adverse Employment Action in Violation of Public Policy

12
13
14 132. The allegations set forth in this complaint are hereby re-alleged and incorporated by
15 reference.

16 133. This cause of action is asserted against Defendants NAACP, NATIONAL
17 ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, CALIFORNIA HAWAII
18 STATE CONFERENCE OF THE NAACP, NAACP CALIFORNIA HAWAII STATE
19 CONFERENCE, CALIFORNIA HAWAII STATE CONFERENCE, and ENRICO "RICK"
20 LYDELL CALLENDER, and DOES 1-100.

21 134. At all times relevant to this action, the California Fair Employment and Housing Act and
22 California Government Code section 12940, *et seq.*, were in full force and effect and binding on
23 Defendants.

24 135. Defendant is an "employer" as defined in Government Code section 12926(d).

25 136. Plaintiff, as an employee of Defendant(s), was a covered employee under FEHA.

26 137. Defendant(s) subjected Plaintiff to adverse employment actions and/or working
27 conditions that violated public policy, including but not limited to, constructive discharge, race and
28 gender discrimination, hostile work environment harassment based on Plaintiff's race and gender,

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1 retaliation, and creating the overall hostile terms and conditions of Plaintiff's employment. Defendant(s)
2 condoned an environment that, among other things, tolerated and encouraged discrimination based on
3 Plaintiff's race and/or ethnicity and gender that materially and negatively impacted the terms and
4 conditions of Plaintiff's employment.

5 138. Defendant(s) intentionally created or knowingly permitted these adverse employment
6 actions and/or working conditions.

7 139. These adverse employment actions and/or working conditions were so intolerable that a
8 reasonable person in Plaintiff's position would have had no reasonable alternative except to resign.

9 140. Plaintiff resigned because of these working conditions.

10 141. Plaintiff was harmed.

11 142. Defendant(s)' violation of California Government Code section 12940, subdivisions (a),
12 (h), (j), and (k); California Labor Code section 1102.5; and California Code of Regulations, Title 2,
13 sections 11006, 11019, 11021, and 11023, were substantial motivating reasons for Defendant(s)' decision
14 to subject Plaintiff to adverse employment actions and/or working conditions that violated public
15 policy, including but not limited to, constructive discharge, race and gender discrimination, hostile work
16 environment harassment based on Plaintiff's race and gender, retaliation, and creating the overall hostile
17 terms and conditions of Plaintiff's employment. Defendant(s) condoned an environment that, among
18 other things, tolerated and encouraged discrimination based on Plaintiff's race and/or ethnicity and
19 gender that materially and negatively impacted the terms and conditions of Plaintiff's employment.

20 143. Defendant(s)' unlawful conduct caused Plaintiff to suffer general and special damages,
21 including, but not limited to, economic damages and non-economic damages, in excess of this Court's
22 jurisdiction, according to proof at trial. Accordingly, Defendant(s)' conduct violated California
23 Government Code section 12940, subdivisions (a), (h), (j), and (k); California Labor Code section 1102.5;
24 and California Code of Regulations, Title 2, sections 11006, 11019, 11021, and 11023.

25 144. As an actual and proximate result of Defendant(s)' unlawful conduct, Plaintiff has lost
26 wages, benefits, and has incurred other out-of-pocket expenses.

27 145. As an actual and proximate result of Defendant(s)' unlawful conduct, Plaintiff suffered
28 physical injury, including, but not limited to, crying, fatigue, headaches, insomnia, sleeplessness, migraine

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1 headaches, night sweats, and panic attacks. Plaintiff also experienced emotional distress, including, but
2 not limited to, aggravation, agitation, anger, angst, anguish, anxiety, confusion, damage to reputation,
3 depression, embarrassment, fear of inadequacy, frustration, hopelessness, humiliation, loss of
4 confidence, nightmares, Post Traumatic Stress Disorder, sadness, self-image issues, shame, shock, social
5 isolation, stress, trouble concentrating, trust issues, and worry.

6 146. The above-described actions were perpetrated and/or ratified by a managing agent or
7 officer of Defendant(s). These acts were done with malice, fraud, oppression, and in reckless disregard
8 of Plaintiff's rights. Further, said actions were despicable in character and warrant the imposition of
9 punitive damages in a sum sufficient to punish and deter Defendant(s)' future conduct.

10 **SEVENTH CAUSE OF ACTION**

11 **Whistleblower Retaliation (Violation of Labor Code section 1102.5)**

12 147. The allegations set forth in this complaint are hereby re-alleged and incorporated by
13 reference.

14 148. This cause of action is asserted against Defendants NAACP, NATIONAL
15 ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, CALIFORNIA HAWAII
16 STATE CONFERENCE OF THE NAACP, NAACP CALIFORNIA HAWAII STATE
17 CONFERENCE, CALIFORNIA HAWAII STATE CONFERENCE, and ENRICO "RICK"
18 LYDELL CALLENDER, and DOES 1-100.

19 149. Pursuant to California Labor Code section 1102.5:

20 (a) An employer, or any person acting on behalf of the employer, shall not
21 make, adopt, or enforce any rule, regulation, or policy preventing an employee
22 from disclosing information to a government or law enforcement agency, to
23 a person with authority over the employee, or to another employee who has
24 authority to investigate, discover, or correct the violation or noncompliance,
25 or from providing information to, or testifying before, any public body
26 conducting an investigation, hearing, or inquiry, if the employee has
27 reasonable cause to believe that the information discloses a violation of state
28 or federal statute, or a violation of or noncompliance with a local, state, or
federal rule or regulation, regardless of whether disclosing the information is
part of the employee's job duties.

(b) An employer, or any person acting on behalf of the employer, shall not
retaliate against an employee for disclosing information, or because the
employer believes that the employee disclosed or may disclose information,

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1 to a government or law enforcement agency, to a person with authority over
2 the employee or another employee who has the authority to investigate,
3 discover, or correct the violation or noncompliance, or for providing
4 information to, or testifying before, any public body conducting an
5 investigation, hearing, or inquiry, if the employee has reasonable cause to
6 believe that the information discloses a violation of state or federal statute, or
7 a violation of or noncompliance with a local, state, or federal rule or
8 regulation, regardless of whether disclosing the information is part of the
9 employee’s job duties.

10 (c) An employer, or any person acting on behalf of the employer, shall not
11 retaliate against an employee for refusing to participate in an activity that
12 would result in a violation of state or federal statute, or a violation of or
13 noncompliance with a local, state, or federal rule or regulation.

14 150. Plaintiff was an employee of Defendant(s). During Plaintiff’s employment, Plaintiff was
15 misclassified as an independent contractor in violation of the Business & Professions Code. This
16 classification was improper; instead, Plaintiff should have been classified as an employee eligible to
17 receive certain rights under the Labor Code. Defendant(s) had the right to control the terms and
18 conditions of Plaintiff’s employment. For example, “[Plaintiff] will perform the duties of [CA/HI
19 NAACP’s] ED as set forth in: (a) the consultant description approved by the Committee; (b) the
20 Committee’s Governance Policies; (c) direction of the Committee approved by a majority of the
21 Committee at a lawfully held meeting; (d) as otherwise provided by law, ordinance, or regulation....
22 “Consultant will devote her full energy, skill, and ability to the performance of Consultant’s duties.
23 Consultant will not engage in any new business duties or pursuits or render any services of a business,
24 commercial, or professional nature without notification to the Committee or President. Consultant will
25 inform the President in advance of absences from [CA/HI NAACP] work of more than one day during
26 the [CA/HI NAACP] workdays.” Plaintiff was also required to “[p]rovide staff direction and support
27 to ensure tasks are completed on time for each project as directed by the President or proxy[.]”

28 151. Plaintiff made protected complaint(s) and/or report(s) to persons with authority over her
at Defendant(s) including, but not limited to, complaint(s) and/or report(s) regarding race and gender
discrimination, hostile work environment harassment, and retaliation. Additionally, Defendant(s)
believed that Plaintiff had disclosed/might disclose to a person with authority over Plaintiff or an
employee with authority to investigate, discover, or correct the legal issue concerning race and gender

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1 discrimination, hostile work environment harassment, and retaliation.

2 152. Plaintiff had reasonable cause to believe that the information disclosed a violation of state
3 or federal statute, or a violation of or noncompliance with a local, state, or federal rule or regulation,
4 including: California Government Code section 12940, subdivisions (a), (h), (j), and (k); California Labor
5 Code section 1102.5; and California Code of Regulations, Title 2, sections 11006, 11019, 11021, and
6 11023.

7 153. Defendant(s) violated Labor Code section 1102.5 when it subjected Plaintiff to adverse
8 employment actions, including but not limited to, constructive discharge and the overall hostile terms
9 and conditions of Plaintiff's employment, in retaliation against Plaintiff for her protected complaints
10 and/or reports regarding race and gender discrimination, hostile work environment harassment, and
11 retaliation.

12 154. Plaintiff's complaint(s) and/or report(s) concerning race and gender discrimination,
13 hostile work environment harassment, and retaliation were a contributing factor in Defendant(s)
14 decision to subject Plaintiff to adverse employment actions, including but not limited to, constructive
15 discharge, and creating the overall hostile terms and conditions of Plaintiff's employment.

16 155. Plaintiff was harmed.

17 156. Defendant(s)' unlawful conduct was a substantial factor in causing Plaintiff to suffer
18 general and special damages including economic damages and non-economic damages in excess of this
19 court's jurisdiction according to proof at trial. Accordingly, Defendant(s)' conduct violated California
20 Labor Code section 1102.5.

21 157. As an actual and proximate result of Defendant(s)' unlawful conduct, Plaintiff has lost
22 wages, benefits, and has incurred other out-of-pocket expenses.

23 158. As an actual and proximate result of Defendant(s)' unlawful conduct, Plaintiff suffered
24 physical injury, including, but not limited to, crying, fatigue, headaches, insomnia, sleeplessness, migraine
25 headaches, night sweats, and panic attacks. Plaintiff also experienced emotional distress, including, but
26 not limited to, aggravation, agitation, anger, angst, anguish, anxiety, confusion, damage to reputation,
27 depression, embarrassment, fear of inadequacy, frustration, hopelessness, humiliation, loss of
28 confidence, nightmares, Post Traumatic Stress Disorder, sadness, self-image issues, shame, shock, social

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1 isolation, stress, trouble concentrating, trust issues, and worry.

2 159. The above-described actions were perpetrated and/or ratified by a managing agent or
3 officer of Defendant(s). These acts were done with malice, fraud, oppression, and in reckless disregard
4 of Plaintiff's rights. Further, said actions were despicable in character and warrant the imposition of
5 punitive damages in a sum sufficient to punish and deter Defendant(s)' future conduct.

6 **EIGHTH CAUSE OF ACTION**

7 **Defamation**

8 160. The allegations set forth in this complaint are hereby re-alleged and incorporated by
9 reference.

10 161. This cause of action is asserted against Defendants NAACP, NATIONAL
11 ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, CALIFORNIA HAWAII
12 STATE CONFERENCE OF THE NAACP, NAACP CALIFORNIA HAWAII STATE
13 CONFERENCE, CALIFORNIA HAWAII STATE CONFERENCE, and ENRICO "RICK"
14 LYDELL CALLENDER, and DOES 1-100.

15 162. Defendant(s) made one or more of the following statements to persons other than
16 Plaintiff: In or around December 2023, CA/HI NAACP President CALLENDAR and/or the NAACP
17 published and/or provided false and defamatory information concerning PRYOR to the Sacramento
18 Bee. Thereafter, the Sacramento Bee published four articles, dated January 8, 2024, January 16, 2024,
19 January 18, 2024, and January 29, 2025, which claimed the following: (1) PRYOR was a Sacramento
20 NAACP Branch leader who mismanaged Sacramento County funds and hired herself; (2) "Williams, the
21 California civil rights stalwart and longest-serving president in the Sacramento chapter's history, and
22 branch education chair Salena Pryor, were among six executive officers suspended in October by the
23 national civil rights organization for alleged financial improprieties, including the use of their positions
24 for financial gain[]"; (3) "Betty Williams and education chair Salena Pryor appear to have used their
25 staffing and consulting firms to operate the Dine-In 2 program and paid themselves with county
26 funds...."; (4) "Williams and Pryor appear to have used their staffing and consulting firms to operate
27 the food program, Dine-In 2, and paid themselves more than \$145,000 in county funds earmarked for
28 contractors' salaries"; and (5) "[o]ne organization paid through a CBCC contract received over \$100,000

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1 in COVID relief. The same contractor is under investigation by Sacramento County for misuse of funds
2 for another COVID relief contract, in which local restaurants and the NAACP are accused of
3 embezzlement. The NAACP said its name was used without permission[,]” (referencing PRYOR’s
4 business, BSBA).

5 163. These people, including but not limited to, the general public, potential business partners,
6 potential clients, and potential grant funders, reasonably understood that the statements were about
7 Plaintiff.

8 164. These people, including but not limited to, the general public, potential business partners,
9 potential clients, and potential grant funders, reasonably understood the statements to mean that: (1)
10 Plaintiff mismanaged County grant funds and used her alleged NAACP Sacramento Officer position
11 hire herself and embezzle the same grant funds; (2) Defendant(s) suspended Plaintiff because Plaintiff
12 allegedly engaged in financial improprieties, including the use of their positions for financial gain, and
13 used County grant funds and her alleged NAACP Sacramento Officer position hire herself and embezzle
14 the same grant funds; (3) Plaintiff unlawfully used her consulting firm to operate the Dine In 2 Program
15 and pay herself large amounts of money that were earmarked for contractors’ salaries and not her or her
16 business; and (4) Plaintiff unlawfully received over \$100,000 in COVID relief through a CBCC contract,
17 and Plaintiff is accused of embezzlement and under investigation by Sacramento County for misuse of
18 funds for another COVID relied contract and used the NAACP name without permission.

19 165. Defendant(s) failed to use reasonable care to determine the truth or falsity of the
20 statement(s). Specifically, upon the first suspension notice dated October 23, 2023, the NAACP had not
21 conducted an adequate investigation nor did the NAACP have sufficient information to conclude
22 Plaintiff “may have participated in financial impropriety...” and “[b]y engaging in such inappropriate
23 activity and by using the [NAACP’s] name and resources for personal benefit, [PRYOR has] engaged in
24 conduct that is inimical to the best interests of the [NAACP].” Also, the NAACP did not have the Dine
25 In 2 Program files, including the support for the financial transactions and/or payments, to support or
26 justify Plaintiff’s suspension. Lastly, as of the second and final notice of suspension dated December 6,
27 2024, the NAACP did not have the Dine In 2 Program files, including the support for the financial
28 transactions and/or payments, to support or justify Plaintiff’s suspension. Therefore, not only did the

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1 NAACP suspend PRYOR without support or justification, but the NAACP also did not conduct an
2 adequate investigation prior to suspending PRYOR.

3 166. Defendant(s)' unlawful conduct was a substantial factor in causing Plaintiff to suffer
4 general and special damages, including actual/economic damages and non-economic damages in excess
5 of this court's jurisdiction according to proof at trial.

6 167. Defendant(s)' unlawful conduct was also a substantial factor in causing Plaintiff to suffer
7 assumed damages in excess of this court's jurisdiction according to proof at trial.

8 168. As an actual and proximate result of Defendant(s)' unlawful conduct, Plaintiff has lost
9 wages, benefits, and has incurred other out-of-pocket expenses.

10 169. As an actual and proximate result of Defendant(s)' unlawful conduct, Plaintiff suffered
11 physical injury, including, but not limited to, crying, fatigue, headaches, insomnia, sleeplessness, migraine
12 headaches, night sweats, and panic attacks. Plaintiff also experienced emotional distress, including, but
13 not limited to, aggravation, agitation, anger, angst, anguish, anxiety, confusion, damage to reputation,
14 depression, embarrassment, fear of inadequacy, frustration, hopelessness, humiliation, loss of
15 confidence, nightmares, Post Traumatic Stress Disorder, sadness, self-image issues, shame, shock, social
16 isolation, stress, trouble concentrating, trust issues, and worry.

17 170. The above-described actions were perpetrated and/or ratified by a managing agent or
18 officer of Defendant(s). These acts were done with malice, fraud, oppression, and in reckless disregard
19 of Plaintiff's rights. Further, said actions were despicable in character and warrant the imposition of
20 punitive damages in a sum sufficient to punish and deter Defendant(s)' future conduct.

21 **NINTH CAUSE OF ACTION**

22 **Misclassification of Employment—Unfair Competition Law**

23 **(Violation of California Business & Professions Code section 17200 *et seq.*)**

24 171. The allegations set forth in this complaint are hereby re-alleged and incorporated by
25 reference.

26 172. This cause of action is asserted against Defendants NAACP, NATIONAL
27 ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, CALIFORNIA HAWAII
28 STATE CONFERENCE OF THE NAACP, NAACP CALIFORNIA HAWAII STATE

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1 CONFERENCE, CALIFORNIA HAWAII STATE CONFERENCE, and ENRICO “RICK”
2 LYDELL CALLENDER, and DOES 1-100.

3 173. California Business & Professions Code section 17200, et seq. prohibits unfair competition
4 in the form of any unlawful, unfair, deceptive, or fraudulent business practices.

5 174. Plaintiff was an employee of Defendant(s). During Plaintiff’s employment, Plaintiff was
6 misclassified as an independent contractor in violation of the Business & Professions Code. This
7 classification was improper; instead, Plaintiff should have been classified as an employee eligible to
8 receive certain rights under the Labor Code. Defendant(s) had the right to control the terms and
9 conditions of Plaintiff’s employment. For example, “[Plaintiff] will perform the duties of [CA/HI
10 NAACP’s] ED as set forth in: (a) the consultant description approved by the Committee; (b) the
11 Committee’s Governance Policies; (c) direction of the Committee approved by a majority of the
12 Committee at a lawfully held meeting; (d) as otherwise provided by law, ordinance, or regulation....
13 “Consultant will devote her full energy, skill, and ability to the performance of Consultant’s duties.
14 Consultant will not engage in any new business duties or pursuits or render any services of a business,
15 commercial, or professional nature without notification to the Committee or President. Consultant will
16 inform the President in advance of absences from [CA/HI NAACP] work of more than one day during
17 the [CA/HI NAACP] workdays.” Plaintiff was also required to “[p]rovide staff direction and support
18 to ensure tasks are completed on time for each project as directed by the President or proxy[.]”

19 175. During the almost five years prior to the filing of this Complaint until August 2023,
20 Defendant(s) committed unlawful, unfair, deceptive, and/or fraudulent acts as defined by California
21 Business & Professions Code section 17200. Defendant(s) unlawful, unfair, deceptive, and/or
22 fraudulent business practices include, without limitation, nonpayment of wages, failing to pay for all
23 hours worked, failing to pay all wages earned, failing to pay overtime wages, failing to furnish accurate
24 itemized wage statements, failing to keep required payroll records, and failing to pay all wages upon
25 constructive discharge in violation of California law.

26 176. As a result of this unlawful and/or unfair and/or fraudulent business practice,
27 Defendant(s) reaped unfair benefits and illegal profits at the expense of Plaintiff. Defendant(s) must
28 disgorge these ill-gotten gains and restore to Plaintiff all wrongfully withheld wages, including, but not

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1 limited to overtime compensation.

2 177. As an actual and proximate result of the aforementioned violations, Plaintiff seeks from
3 Defendant(s) restitution and the disgorgement of all earnings, profits, compensation, benefits and other
4 ill-gotten obtained by Defendant as a result of Defendant(s)' conduct in violation of California Business
5 & Professions Code section 17200, *et seq.*

6 178. Plaintiff also requests further relief as described below.

7 **TENTH CAUSE OF ACTION**

8 **Nonpayment of Overtime Compensation (Violation of Labor Code sections 510 and 1194)**

9 179. The allegations set forth in this complaint are hereby re-alleged and incorporated by
10 reference.

11 180. This cause of action is asserted against Defendants NAACP, NATIONAL
12 ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, CALIFORNIA HAWAII
13 STATE CONFERENCE OF THE NAACP, NAACP CALIFORNIA HAWAII STATE
14 CONFERENCE, CALIFORNIA HAWAII STATE CONFERENCE, and ENRICO "RICK"
15 LYDELL CALLENDER, and DOES 1-100.

16 181. Plaintiff was an employee of Defendant(s). During Plaintiff's employment, Plaintiff was
17 misclassified as an independent contractor in violation of the Business & Professions Code. This
18 classification was improper; instead, Plaintiff should have been classified as an employee eligible to
19 receive certain rights under the Labor Code. Defendant(s) had the right to control the terms and
20 conditions of Plaintiff's employment. For example, "[Plaintiff] will perform the duties of [CA/HI
21 NAACP's] ED as set forth in: (a) the consultant description approved by the Committee; (b) the
22 Committee's Governance Policies; (c) direction of the Committee approved by a majority of the
23 Committee at a lawfully held meeting; (d) as otherwise provided by law, ordinance, or regulation....
24 "Consultant will devote her full energy, skill, and ability to the performance of Consultant's duties.
25 Consultant will not engage in any new business duties or pursuits or render any services of a business,
26 commercial, or professional nature without notification to the Committee or President. Consultant will
27 inform the President in advance of absences from [CA/HI NAACP] work of more than one day during
28 the [CA/HI NAACP] workdays." Plaintiff was also required to "[p]rovide staff direction and support

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1 to ensure tasks are completed on time for each project as directed by the President or proxy[.]”

2 182. Plaintiff performed work for Defendant(s).

3 183. Plaintiff worked overtime hours. In fact, Plaintiff worked overtime hours either
4 daily/almost daily throughout her employment with Defendant(s).

5 184. Plaintiff was not paid the overtime rate for some or all of the overtime hours worked.

6 185. During Plaintiff’s employment with Defendant(s), Defendant(s) failed to compensate
7 Plaintiff for overtime hours worked in excess of eight (8) hours per day and/or forty (40) hours per
8 week and double-time hours for hours worked in excess of twelve (12) hours per day, as required under
9 California law.

10 186. As an actual and proximate result of the aforementioned violations, Plaintiff has been
11 harmed in an amount according to proof, but in an amount in excess of the jurisdiction of this Court.

12 187. The above-described actions were perpetrated and/or ratified by a managing agent or
13 officer of Defendant(s). These acts were done with malice, fraud, oppression, and in reckless disregard
14 of Plaintiff’s rights. Further, said actions were despicable in character and warrant the imposition of
15 punitive damages in a sum sufficient to punish and deter Defendant(s)’ future conduct.

16 **ELEVENTH CAUSE OF ACTION**

17 **Failure to Provide Accurate Wage Statements (Violation of Labor Code sections 226(a))**

18 188. The allegations set forth in this complaint are hereby re-alleged and incorporated by
19 reference.

20 189. This cause of action is asserted against Defendants NAACP, NATIONAL
21 ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, CALIFORNIA HAWAII
22 STATE CONFERENCE OF THE NAACP, NAACP CALIFORNIA HAWAII STATE
23 CONFERENCE, CALIFORNIA HAWAII STATE CONFERENCE, and ENRICO “RICK”
24 LYDELL CALLENDER, and DOES 1-100.

25 190. California Labor Code section 226(a) states: “An employer, semimonthly or at the time of
26 each payment of wages, shall furnish to their employee, either as a detachable part of the check, draft,
27 or voucher paying the employee’s wages, or separately if wages are paid by personal check or cash, an
28 accurate itemized statement in writing showing (1) gross wages earned, (2) total hours worked by the

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1 employee, except as provided in subdivision (j), (3) the number of piece-rate units earned and any
2 applicable piece rate if the employee is paid on a piece-rate basis, (4) all deductions, provided that all
3 deductions made on written orders of the employee may be aggregated and shown as one item, (5) net
4 wages earned, (6) the inclusive dates of the period for which the employee is paid, (7) the name of the
5 employee and only the last four digits of their social security number or an employee identification
6 number other than a social security number, (8) the name and address of the legal entity that is the
7 employer and, if the employer is a farm labor contractor, as defined in subdivision (b) of Section 1682,
8 the name and address of the legal entity that secured the services of the employer, and (9) all applicable
9 hourly rates in effect during the pay period and the corresponding number of hours worked at each
10 hourly rate by the employee and, beginning July 1, 2013, if the employer is a temporary services employer
11 as defined in Section 201.3, the rate of pay and the total hours worked for each temporary services
12 assignment. The deductions made from payment of wages shall be recorded in ink or other indelible
13 form, properly dated, showing the month, day, and year, and a copy of the statement and the record of
14 the deductions shall be kept on file by the employer for at least three years at the place of employment
15 or at a central location within the State of California. For purposes of this subdivision, “copy” includes
16 a duplicate of the itemized statement provided to an employee or a computer-generated record that
17 accurately shows all of the information required by this subdivision.”

18 191. Plaintiff was an employee of Defendant(s). During Plaintiff’s employment, Plaintiff was
19 misclassified as an independent contractor in violation of the Business & Professions Code. This
20 classification was improper; instead, Plaintiff should have been classified as an employee eligible to
21 receive certain rights under the Labor Code. Defendant(s) had the right to control the terms and
22 conditions of Plaintiff’s employment. For example, “[Plaintiff] will perform the duties of [CA/HI
23 NAACP’s] ED as set forth in: (a) the consultant description approved by the Committee; (b) the
24 Committee’s Governance Policies; (c) direction of the Committee approved by a majority of the
25 Committee at a lawfully held meeting; (d) as otherwise provided by law, ordinance, or regulation....
26 “Consultant will devote her full energy, skill, and ability to the performance of Consultant’s duties.
27 Consultant will not engage in any new business duties or pursuits or render any services of a business,
28 commercial, or professional nature without notification to the Committee or President. Consultant will

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1 inform the President in advance of absences from [CA/HI NAACP] work of more than one day during
2 the [CA/HI NAACP] workdays.” Plaintiff was also required to “[p]rovide staff direction and support
3 to ensure tasks are completed on time for each project as directed by the President or proxy[.]”

4 192. Plaintiff performed work for Defendant(s).

5 193. California Labor Code section 226(a) requires employers to itemize in wage statements all
6 deductions from payment of wages and to accurately report total hours and earnings of employees.

7 194. Defendant(s) failed to comply with Labor Code section 226(a) by failing to itemize in
8 Plaintiff’s wage statements all hours worked by Plaintiff and accurate earnings.

9 195. Plaintiff is entitled to penalties under Labor Code section 226(e) of fifty dollars (\$50) for
10 the initial violation and one hundred dollars (\$100) for each violation in a subsequent pay period, not
11 exceeding an aggregate penalty of four thousand dollars (\$4,000), is entitled to injunctive relief pursuant
12 to Labor Code section 226(h), and is entitled to an award of costs and reasonable attorneys’ fees.

13 **TWELFTH CAUSE OF ACTION**

14 **Failure to Provide Adequate Meal and Rest Periods**

15 **(Violation of Labor Code sections 226.7 and 512)**

16 196. The allegations set forth in this complaint are hereby re-alleged and incorporated by
17 reference.

18 197. This cause of action is asserted against Defendants NAACP, NATIONAL
19 ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, CALIFORNIA HAWAII
20 STATE CONFERENCE OF THE NAACP, NAACP CALIFORNIA HAWAII STATE
21 CONFERENCE, CALIFORNIA HAWAII STATE CONFERENCE, and ENRICO “RICK”
22 LYDELL CALLENDER, and DOES 1-100.

23 198. California Labor Code section 226.7, subdivision (a) states that “[n]o employer shall
24 require any employee to work during any meal period...” California Labor Code section 226.7,
25 subdivision (b) states that “[i]f an employer fails to provide an employee a meal break or rest period...the
26 employer shall pay the employee one additional hour of pay at the employee’s regular rate of
27 compensation for each work day that the meal or rest period is not provided.”

28 ///

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1 199. California Labor Code section 512, subdivision (a) states that “[a]n employer may not
2 employ an employee for a work period of more than five hours per day without providing the employee
3 with a meal period of not less than 30 minutes, except that if the total work period per day of the
4 employee is no more than six hours, the meal period may be waived by mutual consent of both the
5 employer and employee. An employer may not employ an employee for a work period of more than 10
6 hours per day without providing the employee with a second meal period of not less than 30 minutes,
7 except that if the total hours worked is no more than 12 hours, the second meal period may be waived
8 by mutual consent of the employer and the employee only if the first meal period was not waived.”

9 200. Plaintiff was an employee of Defendant(s). During Plaintiff’s employment, Plaintiff was
10 misclassified as an independent contractor in violation of the Business & Professions Code. This
11 classification was improper; instead, Plaintiff should have been classified as an employee eligible to
12 receive certain rights under the Labor Code. Defendant(s) had the right to control the terms and
13 conditions of Plaintiff’s employment. For example, “[Plaintiff] will perform the duties of [CA/HI
14 NAACP’s] ED as set forth in: (a) the consultant description approved by the Committee; (b) the
15 Committee’s Governance Policies; (c) direction of the Committee approved by a majority of the
16 Committee at a lawfully held meeting; (d) as otherwise provided by law, ordinance, or regulation....
17 “Consultant will devote her full energy, skill, and ability to the performance of Consultant’s duties.
18 Consultant will not engage in any new business duties or pursuits or render any services of a business,
19 commercial, or professional nature without notification to the Committee or President. Consultant will
20 inform the President in advance of absences from [CA/HI NAACP] work of more than one day during
21 the [CA/HI NAACP] workdays.” Plaintiff was also required to “[p]rovide staff direction and support
22 to ensure tasks are completed on time for each project as directed by the President or proxy[.]”

23 201. Plaintiff worked for Defendant on one or more workdays for at least three and one-half
24 hours.

25 202. Defendant did not authorize and permit Plaintiff to take one or more 10-minute rest
26 breaks to which Plaintiff was entitled.

27 203. Plaintiff worked for Defendant for one or more workdays for a period lasting longer than
28 five hours.

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1 204. Defendant did not provide Plaintiff with the opportunity to take timely uninterrupted meal
2 breaks of at least 30 minutes for each five-hour period worked.

3 205. As an actual and proximate result of the aforementioned violations, Plaintiff has been
4 harmed in an amount according to proof, but in an amount in excess of the jurisdiction of this Court.

5 206. The above-described actions were perpetrated and/or ratified by a managing agent or
6 officer of Defendant(s). These acts were done with malice, fraud, oppression, and in reckless disregard
7 of Plaintiff's rights. Further, said actions were despicable in character and warrant the imposition of
8 punitive damages in a sum sufficient to punish and deter Defendant(s)' future conduct.

9 **THIRTEENTH CAUSE OF ACTION**

10 **Negligent Interference with Prospective Economic Relations**

11 207. The allegations set forth in this complaint are hereby re-alleged and incorporated by
12 reference.

13 208. This cause of action is asserted against Defendants NAACP, NATIONAL
14 ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, CALIFORNIA HAWAII
15 STATE CONFERENCE OF THE NAACP, NAACP CALIFORNIA HAWAII STATE
16 CONFERENCE, CALIFORNIA HAWAII STATE CONFERENCE, and ENRICO "RICK"
17 LYDELL CALLENDER, and DOES 1-100.

18 209. Plaintiff and Humboldt State University's Small Business Development Center and/or
19 California Office of Small Business Advocate were in economic relationship(s) that probably would
20 have resulted in future economic benefit(s) to Plaintiff.

21 210. Defendant(s) knew or should have known of this relationship.

22 211. Defendant(s) knew or should have known that this relationship would be disrupted if it
23 failed to act with reasonable care.

24 212. Defendant(s) failed to act with reasonable care.

25 213. Defendant(s) engaged in wrongful conduct through Defendant(s) publishing and/or
26 providing false and defamatory information concerning Plaintiff to the Sacramento Bee. Thereafter, the
27 Sacramento Bee published four articles, dated January 8, 2024, January 16, 2024, January 18, 2024, and
28 January 29, 2025, which claimed the following: (1) PRYOR was a Sacramento NAACP Branch leader

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1 who mismanaged Sacramento County funds and hired herself; (2) “Williams, the California civil rights
2 stalwart and longest-serving president in the Sacramento chapter’s history, and branch education chair
3 Salena Pryor, were among six executive officers suspended in October by the national civil rights
4 organization for alleged financial improprieties, including the use of their positions for financial gain[]”;
5 (3) “Betty Williams and education chair Salena Pryor appear to have used their staffing and consulting
6 firms to operate the Dine-In 2 program and paid themselves with county funds....”; (4) “Williams and
7 Pryor appear to have used their staffing and consulting firms to operate the food program, Dine-In 2,
8 and paid themselves more than \$145,000 in county funds earmarked for contractors’ salaries”; and (5)
9 “[o]ne organization paid through a CBCC contract received over \$100,000 in COVID relief. The same
10 contractor is under investigation by Sacramento County for misuse of funds for another COVID relief
11 contract, in which local restaurants and the NAACP are accused of embezzlement. The NAACP said
12 its name was used without permission[,]” (referencing PRYOR’s business, BSBA).

13 214. The relationship was disrupted.

14 215. Plaintiff was harmed. Specifically, Plaintiff was denied grant funding of over \$3,000,000+
15 because Defendant(s) engaged in wrongful conduct through Defendant(s) publishing and/or providing
16 false and defamatory information concerning Plaintiff to the Sacramento Bee—who then republished
17 several articles including the false and defamatory statements from Defendant(s).

18 216. Defendant(s)’ unlawful conduct caused Plaintiff to suffer general and special damages,
19 including, but not limited to, economic damages and non-economic damages, in excess of this Court’s
20 jurisdiction, according to proof at trial.

21 217. As an actual and proximate result of the aforementioned violations, Plaintiff has been
22 harmed in an amount according to proof, but in an amount in excess of the jurisdiction of this Court.

23 218. As an actual and proximate result of Defendant(s)’ unlawful conduct, Plaintiff suffered
24 physical injury, including, but not limited to, crying, fatigue, headaches, insomnia, sleeplessness, migraine
25 headaches, night sweats, and panic attacks. Plaintiff also experienced emotional distress, including, but
26 not limited to, aggravation, agitation, anger, angst, anguish, anxiety, confusion, damage to reputation,
27 depression, embarrassment, fear of inadequacy, frustration, hopelessness, humiliation, loss of
28 confidence, nightmares, Post Traumatic Stress Disorder, sadness, self-image issues, shame, shock, social

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1 isolation, stress, trouble concentrating, trust issues, and worry.

2 219. The above-described actions were perpetrated and/or ratified by a managing agent or
3 officer of Defendant(s). These acts were done with malice, fraud, oppression, and in reckless disregard
4 of Plaintiff's rights. Further, said actions were despicable in character and warrant the imposition of
5 punitive damages in a sum sufficient to punish and deter Defendant(s)' future conduct.

6 **FOURTEENTH CAUSE OF ACTION**

7 **Negligent Infliction of Emotional Distress**

8 220. The allegations set forth in this complaint are hereby re-alleged and incorporated by
9 reference.

10 221. This cause of action is asserted against Defendants NAACP, NATIONAL
11 ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE, CALIFORNIA HAWAII
12 STATE CONFERENCE OF THE NAACP, NAACP CALIFORNIA HAWAII STATE
13 CONFERENCE, CALIFORNIA HAWAII STATE CONFERENCE, and ENRICO "RICK"
14 LYDELL CALLENDER, and DOES 1-100.

15 222. Defendant(s) was/were negligent.

16 223. Plaintiff suffered serious emotional distress.

17 224. Defendant(s)' negligence was a substantial factor in causing Plaintiff's serious emotional
18 distress.

19 225. As an actual and proximate result of the aforementioned violations, Plaintiff has been
20 harmed in an amount according to proof, but in an amount in excess of the jurisdiction of this Court.

21 226. As an actual and proximate result of Defendant(s)' unlawful conduct, Plaintiff suffered
22 physical injury, including, but not limited to, crying, fatigue, headaches, insomnia, sleeplessness, migraine
23 headaches, night sweats, and panic attacks. Plaintiff also experienced emotional distress, including, but
24 not limited to, aggravation, agitation, anger, angst, anguish, anxiety, confusion, damage to reputation,
25 depression, embarrassment, fear of inadequacy, frustration, hopelessness, humiliation, loss of
26 confidence, nightmares, Post Traumatic Stress Disorder, sadness, self-image issues, shame, shock, social
27 isolation, stress, trouble concentrating, trust issues, and worry.

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1 227. The above-described actions were perpetrated and/or ratified by a managing agent or
2 officer of Defendant(s). These acts were done with malice, fraud, oppression, and in reckless disregard
3 of Plaintiff's rights. Further, said actions were despicable in character and warrant the imposition of
4 punitive damages in a sum sufficient to punish and deter Defendant(s)' future conduct.

5 **PRAYER FOR RELIEF**

6 WHEREFORE, PLAINTIFF demands judgment against all DEFENDANTS and any other
7 DEFENDANTS who may be later added to this action as follows:

- 8 1. For compensatory damages, including but not limited to, lost wages and non-economic
- 9 damages in an amount according to proof;
- 10 2. For attorneys' fees and costs pursuant to all applicable statutes or legal principles;
- 11 3. For cost of suit incurred;
- 12 4. For punitive damages and any and all other penalties recoverable by law;
- 13 5. For prejudgment interest on all amounts claimed pursuant to Civil Code section 3287
- 14 and/or 3288; and
- 15 6. For such other and further relief as the court may deem proper.


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18 Date: March 20, 2025

19 By: 
DONALD R. WILLIAMS, JR., ESQ.
Attorney for Plaintiff
SALENA PRYOR

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21
22 **DEMAND FOR JURY TRIAL**

23 Plaintiff SALENA PRYOR hereby demands trial by jury for this matter.

24
25 Date: March 20, 2025

26 By: 
DONALD R. WILLIAMS, JR., ESQ.
Attorney for Plaintiff
SALENA PRYOR

REED WILLIAMS
A PROFESSIONAL LAW CORPORATION
9343 TECH CENTER DRIVE, SUITE 165
SACRAMENTO, CALIFORNIA 95826

VERIFICATION OF COMPLAINT FOR DAMAGES

I, SALENA PRYOR, have read the attached Complaint for Damages and hereby attest that the same is true of my own knowledge, except as to those matters, which are therein stated on information and belief, and, as to those matters, that I believe it to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. This Verification was executed on March 20, 2025, in Sacramento, California.

Salena Pryor

SALENA PRYOR

REED WILLIAMS
A PROFESSIONAL LAW CORPORATION
9343 TECH CENTER DRIVE, SUITE 165
SACRAMENTO, CALIFORNIA 95826

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