GLORIA DREDD HANEY, (State Bar No. 157627) LAW OFFICES OF GLORIA DREDD HANEY MAIN OFFICE 333 City Boulevard West, 17th Floor Orange, CA 92868-2903 Office Number: (714) 938-3230 Attorneys for Plaintiffs, ALBERT M. CHAVEZ; MARKIST HERBERT; RUDY REYES; GEORGE W. ROBINSON, JR.; JOHN R. STUTZMAN, JR. MICHAEL L. THOMPSON 6 7 8 ALBERT M. CHAVEZ; MARKIST HERBERT; RUDY REYES; GEORGE W. 10 ROBINSON, JR.; JOHN R. STUTZMAN, JR.; and MICHAEL L. 11 THOMPSON, 12 Plaintiffs, vs. 13 MORONGO CASINO RESORT & SPA. a.k.a. MORONGO GAMING AGENCY, and a.k.a. MORONGO BAND OF MISSION INDIANS; JERRY SCHULTZE; RALPH CHAPMAN; ROBERT FERRELL; ROD MERCADO; NEAL REED; and DOES 1-10, 17 Inclusive, 18 Defendants. 19 20 21 22 23 24 25 26 27 28

JUL 21 2011

A. Sanchez

## SUPERIOR COURT OF THE STATE OF CALIFORNIA FOR THE COUNTY OF RIVERSIDE RIC 1112191 RIVERSIDE COURTHOUSE

CASE NO.

### COMPLAINT FOR DAMAGES FOR:

- RETALIATION BASED ON DISCRIMINATION [Gov. Code § 12940(h)];
- DISCRIMINATION [Gov. (2) Code § 12940(a)];
- DISCRIMINATION BASED ON AGE [Gov. Code § 12940]
- (4) DISCRIMINATION BASED ON SEX [Gov. Code § 12940]
- (5) HARASSMENT IN VIOLATION OF THE FAIR EMPLOYMENT & HOUSING ACT
- (6) WRONGFUL TERMINATION IN VIOLATION OF THE FAIR EMPLOYMENT AND HOUSING ACT (FEHA) AND PUBLIC POLICY
- FAILURE TO PREVENT (7) WORKPLACE DISCRIMINATION
- INTENTIONAL INFLICTION (8) OF EMOTIONAL DISTRESS
- NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
- (10) DEFAMATION
- (11) BREACH OF CONTRACT

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Plaintiffs ALBERT M. CHAVEZ; MARKIST HERBERT; RUDY REYES; GEORGE W. ROBINSON, JR.; JOHN R. STUTZMAN, JR.; and MICHAEL L. THOMPSON hereby complain against Defendants, and each of them, and alleges the following causes of action:

#### NATURE OF THE CASE

- This is a civil action seeking damages and relief 1. against defendants for committing acts against Plaintiffs and for depriving Plaintiffs of rights secured by the laws of the state of California as clearly articulated in the Amendment to the Tribal-State Compact Between the State of California and the Morongo Band of Mission Indians (hereafter "1999 Compact"). Morongo Casino Resort & Spa (hereafter "Morongo") agreed with the State of California that California tort law shall govern all claims, including business torts which include wrongful termination of employment, discrimination, harassment negligence, and intentional torts. This action is also brought by Plaintiffs for the unlawful conduct on the part of the above-named defendants causing these Plaintiffs to be subjected to discrimination, harassment, and retaliation because they engaged in the protected activity of opposing unlawful employment actions which were in violation of the California Fair Employment and Housing Act and the California Labor Code.
- 2. As a result of being continuously humiliated and embarrassed with the loss of self-esteem associated with the reduction of their job responsibilities, the assignment to menial work duties, demoted, and continued employment on terms less favorable than Plaintiffs' former status, to name a few, Plaintiffs were summarily fired or permanently laid off as

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follows:

Plaintiff Al Chavez was terminated on June 17, 2011.

Plaintiff Markist Herbert was terminated on September 14, 2010.

Plaintiff Rudy Reyes was terminated on May 21, 2011.

Plaintiff George W. Robinson, Jr. was terminated on July 29,

2010.

Plaintiff John R. Stutzman, Jr. was terminated on August 1, 2010.

Plaintiff Michael L. Thompson was terminated on December 3, 2010.

#### JURISDICTION AND VENUE

- 1. Plaintiffs have suffered and continue to suffer actual injuries as a result of the intentional, malicious, and unlawful conduct on the part of the above-named defendants. Plaintiffs have suffered and continue to suffer actual injuries as a result of the intentional and malicious conduct on the part of the above-named defendants. Plaintiffs also have a personal stake in the outcome of this action.
- 2. Morongo is located within the jurisdiction of the Riverside Court of the California Superior Court in and for the County of Riverside.
- 3. Jurisdiction of this Court is invoked pursuant to the Government Code section 12900 et seq. Further, and even more importantly, jurisdiction of this Court is invoked pursuant to the Amendment to the Tribal-State Compact Between the State of California and the Morongo Band of Mission Indians 1999. Morongo agreed to adopt and comply with state and federal antidiscrimination laws (which does not include preferences to Native Americans) and California tort laws.

#### SUMMARY OF CLAIMS AND COMMON AND BACKGROUND FACTS

- 1. This is an action for damages by Plaintiffs against their former employer, defendants Morongo, Jerry Schultze (hereafter "Schultze"), Ralph Chapman (hereafter "Chapman"), Robert Ferrell (hereafter "Ferrell"), Rod Mercado (hereafter "Mercado"), and Neal Reed (hereafter "Reed"), and against certain fictitiously named Defendants, DOES 1 through 10, inclusive, who include supervisory, managerial, and other responsible officials and employees of Morongo. Plaintiffs' claims involve both California statutory and common law violations by Defendants, including without limitation, Defendants' (a) repeated and willful acts, course of conduct, and statements discriminating against Plaintiffs, based <u>inter alia</u>, on Plaintiff's national origin, ancestry and/or race, all in violation of the California Fair Employment and Housing Act ("FEHA"), specifically California Government ("Gov.") Code §12940(a), (b) retaliation against Plaintiffs, leading to and resulting in the wrongful termination of their employment with Defendant Morongo, based on Plaintiffs reporting of and protests against Defendants' acts, course of conduct, and statements discriminating against Plaintiffs, as aforesaid, in violation of FEHA, specifically Gov. Code §12940(h) thereof, and (c) retaliation against Plaintiffs.
- 2. Plaintiffs specifically, but not exclusively, contend that Defendants retaliated against Plaintiffs because Plaintiffs reported internally at Morongo and would not cover up (a) Defendants' acts, statements, and course of conduct of discrimination against Plaintiffs, including by impugning and mocking Plaintiffs and treating Plaintiffs in a discriminatory

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manner with respect to their job assignments, compensation, performance evaluation and, ultimately, their unlawful employment termination.

- 3. Defendants further retaliated against Plaintiffs, and committed the other wrongful acts herein described, because Plaintiffs had protested to Defendants and had sought cessation of and relief from the hostile, harassing, and offense work environment to which they were subjected as an employees of Morongo, which included the discriminatory acts, course of conduct and statements cited above, as well as the inappropriate sexually directed remarks and conduct committed and/or sanctioned by Morongo officials. Defendants acts of retaliation additionally included, without limitation, Defendants' defaming and disparaging Plaintiffs, including through false characterizations of Plaintiffs' performance as a Monrongo employee, removal and/or destruction of Plaintiff's records and positive performance reports, and slanderous statements by individuals affiliated with defendant Morongo, which persons are included in DOES 1 through 10.
- 4. Based on Defendants' wrongdoing as alleged,
  Plaintiffs are entitled to recover damages for past and future
  loss of earnings and benefits, general damages for physical,
  emotional, and mental injuries, harm and distress, as well as for
  reputational damages Plaintiff has suffered, together with
  punitive damages against certain named and fictitiously named
  Defendants, prejudgement interest, and statutory attorneys' fees
  and costs of suit.

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#### **PARTIES**

- 5. At all times herein mentioned Plaintiffs ALBERT M.
  CHAVEZ (hereafter "Chavez"), MARKIST HERBERT (hereafter
  "Herbert"), RUDY REYES (hereafter "Reyes"), GEORGE W. ROBINSON,
  JR. (hereafter "Robinson"), JOHN R. STUTZMAN, JR. (hereafter
  "Stutzman"), and MICHAEL L. THOMPSON (hereafter "Thompson") were
  and are residents of the State of California.
- 6. Plaintiffs are informed and believe and based on such information and belief allege that at all times herein mentioned, Defendant Morongo was and is an Indian Tribe, doing business as a resort spa and gambling casino pursuant to the fully executed Tribal-State Compact Between the State of California and the Morongo Band of Mission Indians and the Amendment to the Tribal-State Compact Between the State of California and the Morongo Band of Mission Indians, within the County of Riverside in State of California.
- 7. Plaintiffs are informed and believe and based on such information and belief allege that at all times herein mentioned, Defendant Schultze was the Executive Director for the Morongo Gaming Agency/Security Director.
- 8. Plaintiffs are informed and believe and based on such information and belief allege that at all times herein mentioned, Defendant Chapman was a Lieutenant and Watch Commander in the Security Department for Morongo.
- 9. Plaintiffs are informed and believe and based on such information and belief allege that at all times herein mentioned, Defendant Ferrell was the Human Resources Director for Tribal Administration for Morongo.

- 10. Plaintiffs are informed and believe and based on such information and belief allege that at all times herein mentioned, Defendant Mercado was the Human Resources Manager for Tribal Administration for Morongo.
- 11. Plaintiffs are informed and believe and based on such information and belief allege that at all times herein mentioned, Defendant Reed was an Administrative Lieutenant in the Security Department for Morongo.
- 12. Plaintiffs are unaware of the true names and capacities, whether corporate, associate, individual, or otherwise, of Defendants named as DOES 1 through 10 inclusive. Pursuant to Code of Civil Procedure section 474, Plaintiffs will seek leave of the Court to amend this Complaint to state said Defendants' true names and capacities when the same have been ascertained. Plaintiffs informed and believe, and based upon such information and belief allege, that said fictitiously-named Defendants DOES 1 through 10 each are responsible and liable to Plaintiffs in some manner for the injury and damages to Plaintiffs alleged herein.

#### AGENCY

13. Plaintiffs are informed and believe, and based upon such information and belief allege, that Defendants MORONGO, SCHULTZE, CHAPMAN, FERRELL, MERCADO, REED, and DOES 1 through 10, inclusive, and each of them, at all times herein mentioned were the agents, employees, servants, co-joint venturers, partners, and/or co-conspirators of the remaining Defendants, and were acting in the course and scope of such agency, employment, joint ventures, partnership, and/or conspiracy in the matters herein

alleged; that Defendants, and each of them, in doing the acts and performances herein alleged were the actual and/or ostensible agents of the remaining Defendants and were acting within the course and scope of said agency; that each and every Defendant, as aforesaid, when acting as a supervisor, employer, or other principal, was negligent in selecting, hiring, supervising, and continuing the employment of each and every Defendant who was or is an agent, servant, employee, partner, co-joint venturer and/or co-conspirator with each such principal Defendant; and/or that each Defendant approved, consented, and agreed to, support, participate in, authorize, and/or ratified the acts and/or omissions of the other Defendants who were or are agents, servants, employee, employers, or other principals, partners, joint venturer, and/or co-conspirators of and with each such Defendant.

#### SUMMARY OF FACTS

- A. PLAINTIFFS PRIOR LAW ENFORCEMENT/SECURITY EMPLOYMENT RECORD,
  HIRING AT MORONGO, AND JOB PERFORMANCE AT MORONGO.
  - 14. Plaintiffs' Long and Distinguished Prior Service.
- a. Prior to their employment with Defendant

  Morongo, Plaintiffs had been employed by other employers and even
  in law enforcement and/or security.
- b. Plaintiffs had not been subjected to negative performance feedback or accusations of misconduct; nor had they ever been terminated from an employment in law enforcement/security, prior to their employment with Defendant Morongo.

# 15. <u>Plaintiffs Hired by Morongo Based on Defendants'</u> False Representations and Promises.

- a. Plaintiffs were hired by Defendant Morongo in the Security Department. Defendants, through the agents of Morongo, verbally promised Plaintiffs, as incentive for Plaintiffs accepting said employment, and a condition of Plaintiffs' hiring, that Plaintiff would be compensated commensurate with their qualifications and level of responsibilities. Plaintiffs were led to believe they would be treated fairly and in accordance with the laws of the State of California and the policies of Morongo.
- b. Thereafter, Plaintiffs remained continuously employed by Defendant Morongo until their <u>Wrongful Termination</u> on dates as listed above.
- c. All said misrepresentations and promises made to Plaintiffs about Plaintiffs having a contract of employment so long as they performed their jobs in a satisfactory manner, and any failure to be treated fairly could only be for good cause proven or believed to be true in good faith and then would be carried out only in accordance with the stated written policies of Morongo.
  - 16. <u>Plaintiffs' Record of Valuable and Skilled Services</u>
    for Defendant Morongo.
- a. Throughout their employment by Morongo,

  Plaintiffs performed their job duties competently and

  conscientiously, including by delivering performance as directed,

  deterring and resolving major safety issues, exercising prudent

  oversight, and in collaboration with security officers and

supervisors, producing good to outstanding performance.

Plaintiffs received accolades from security officers and supervisors.

b. Plaintiffs were entitled by California and tribal law and merited by their own professional conduct and performance to have their legal rights upheld, recognized and protected by Defendants, including to be treated in a respectful and appropriate manner by their superiors and other management and personnel of Defendant Morongo, including all or some of the Defendants DOES 1 through 10. Defendants had no legal right or authority to mistreat Plaintiffs or to violate their legal rights in the manner herein described or otherwise.

# B. PLAINTIFFS REPORT HOSTILE WORK ENVIRONMENT AND STATUTORY VIOLATIONS, INCLUDING INAPPROPRIATE SEXUAL COMMUNICATIONS AT MORONGO.

#### 17. PLAINTIFF CHAVEZ

Chavez is a 41 year old male of Latino descent. On or about May 1992, Chavez was hired as a Video Attendant then Security. In 2003, he complained about sexual advances made to his fiancee at work. He was then discharged and later rehired.

Subsequently, Chavez's wages were reduced, and he was assigned to less desirable work and subjected to threats of discharge, including but not limited to continuous vulgar profanity directed to him. On July 21, 2010, Chavez filed a Charge of Discrimination with the United States Equal Employment Opportunity Commission ("EEOC"). The EEOC notified Morongo about the Charge of Discrimination from Chavez. Days later, Chavez was harassed and demoted. Beginning July 26, 2010, Chavez was demoted with much

less pay from the X-ray Team Security Supervisor to Floor Security Supervisor. No reasons were given to him for the demotion. Defendant Reed told Chavez, however, it came from management. On June 17, 2011, Chavez's employment was terminated while he was on an authorized medical leave of absence and under a doctor's care.

#### 18. PLAINTIFF HERBERT

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Herbert is a 38 year old African-American male. On or about June 2007, he was hired as a Security Officer. In June 2008, Herbert was denied a raise when other non-African American Security Officers were given rases. Later, Herbert was denied a cost of living increase along with being denied equipment. Other non-African American employees received cost of living increases In early July 2010, Herbert complained about a and equipment. hostile work environment. He never received a response even though he following the policies and procedures of Morongo for such complaints. On July 21, 2010, Herbert filed a Charge of Discrimination with the EEOC. Morongo was notified by the EEOC. Thereafter, Herbert was demoted and denied a promotion. On or about July 30, 2010, less than one month later, Herbert was threatened with termination if Herbert continued to complain. was Schultze who told Herbert he did not receive the raise when it was first denied and did not receive the cost of living increase and equipment because there was no money in the budget for Herbert. On or about July 30, 2010, Chapman told Herbert if Herbert complained, Herbert would be terminated. On September 14, 2010, less than two months later, Herbert was terminated.

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#### 19. PLAINTIFF REYES

Reyes is a 61 year old Latino. He began working for Morongo on or about June 5, 2007. His last position with the company was that of a security officer. On or about July 29, 2010, Reyes observed he had been demoted from the X-Ray Unit and reassigned as a regular security officer which had less prestige than that of one assigned to the X-Ray Unit. Reyes had been subjected to different terms and conditions of employment which included retaliation to being transferred from the night shift to the day shift even though it was understood his son has a learning disability and is on medication which requires constant supervision. Reyes was his son's primary caregiver when Reyes worked for Morongo. Reyes requested to remain on the night shift but was denied even though there were security officers on the night shift who had requested and were granted changes to the day shift. Reyes was told there were no openings and that no future opening would be provided. No reasons or other explanation was given to Reyes as to why he had been demoted and transferred. Beginning June 2010, Reyes complained in writing about the disparate treatment, following the policies and procedures of Morongo, but nothing was done. In June 2010, Chapman walked up to Reyes and stated, "I'm going to get you fired, and 'fuck you.'" Chapman did told Reyes that Reyes was on the wrong side by joining with the other security officers and complaining about the discrimination, harassment, and retaliation at Morongo. Reyes was terminated on May 21, 2011.

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#### 20. PLAINTIFF ROBINSON

Robinson is a 60 year old Caucasian male. Robinson had been working for Morongo since about November 22, 2009, as the Director of Special Operations & Security Training. Robinson reported to Schultze. From the beginning, Robinson complained about his observations of disparate treatment of the security officers as well as the retaliation, harassment, and unlawful hostile work environment. As a result, Robinson, himself, was continuously subjected to harassment and different terms & conditions of employment by Schultze which included but was not limited to: (1) publicly being called vulgar names, slander regarding his competence and trustworthiness, denial of the promised assistance in order to effect Robinson's job performance, threatening other employees with demotion and/or termination if the other employees associated with Robinson. June 13, 2010, Robinson faxed a copy of his doctor's recommendation that Robinson take off from work because of the effect the hostility and retaliation was having on Robinson, both physically and mentally. Schultze ignored Robinson's doctor's orders. On June 22, 2010, Robinson complained to HR at Morongo about the disparate treatment and hostility in the work place along with the fact Robinson believed Schultze and Chapman were abusing their authority and engaging in criminal activity. Robinson was immediately punished by being placed on administrative leave without explanation. On July 21, 2010, Robinson filed a complaint with the EEOC after trying for months, by following the policies and procedures of Morongo, to have Morongo address Robinson's complaints regarding the unlawful

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hostile work environment. Morongo was informed of Robinson's filing a complaint with the EEOC. Just days later on July 29, 2010, Robinson was terminated by Ferrell.

#### 21. PLAINTIFF STUTZMAN

Stutzman is a 59 year old Caucasian male. He began working for Morongo on or about September 28, 2004. The most recent position he held was that of Senior Sergeant in Security for Morongo. On or about July 2010, Morongo became aware of complaints of unlawful discrimination and retaliation Stutzman had filed with the EEOC against Morongo. Days later, on or about July 29, 2010, Stutzman was notified he had been demoted from Senior Sergeant of the X-Ray Unit and reassigned to Sergeant of "A" watch (graveyard shift). Stutzman was then replaced by a younger Senior Sergeant. Stutzman had joined in with other security officers to complain about the disparate treatment along with the retaliation and harassment against Chapman in particular. On July 28, 2010, Stutzman sent a memo to upper management about the unlawful treatment of employees. On July 30, 2010, Stutzman sent a memo to a Lt. Reid along with Schultze regarding Chapman's unlawful conduct and threats to security officers. Stutzman had been slandered by the defendants when they opening and to third parties accused Stutzman of stealing casino property like a thief. Schultze, Chapman, Reed, Ferrell, and Mercado never explained why Stutzman had been demoted. Just days after filing a complaint with the EEOC, Stutzman was terminated.

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#### 22. PLAINTIFF THOMPSON

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Plaintiff Thompson is a 44 year old Caucasian male. On or about July 21, 2001, Thompson was hired as a Security Guard by Morongo. On or about July 28, 2010, Thompson joined with other security officers and went to the EEOC in order to file a charge of discrimination against Morongo. As with the other plaintiffs, Morongo subsequently became aware of Thompson's EEOC complaint. Additionally, because of another employee who knew about Thompson's complaint and informed Morongo, Morongo had further information to support Thompson had filed a Charge. Less than five months later, on December 3, 2010, Morongo retaliated against Thompson for engaging in the protected activity, claiming he was simply fired because Thompson was "at will." Thompson was the only supervisor demoted and had his pay reduced. Schultze permitted misinformation to be placed and kept in Thompson's personnel file which prevented Thompson from receiving raises, for example.

# C. <u>DEFENDANTS RETALIATED AGAINST PLAINTIFFS AND SUBJECTED</u> <u>PLAINTIFFS TO A HOSTILE WORKING ENVIRONMENT, HARASSMENT,</u> DEFAMATION, AND DISCRIMINATION.

23. In response to Plaintiffs' protests, objections and complaints reported internally at Morongo about the described wrongdoing by Defendant Morongo, its management and supervisory personnel, including all or some of Defendant DOES 1 through 10, Defendants created and subjected Plaintiffs to a hostile working environment for the purpose and with the malicious intent of making Plaintiffs' working conditions so intolerable and painful

that Plaintiffs would either leave or be forced from their employment at Morongo.

- 24. In furtherance of the foregoing plan and purpose of retaliation against Plaintiffs, Defendants, and each of them, harassed Plaintiffs, and demeaned and defamed them including the disrespect to Plaintiffs' character, job performance, and in other respects. Defendants' conduct was unjustified and illegal, violating both applicable statutes and regulations, and common law of the State of California.
- 25. As part of the course of conduct and actions of retaliations against Plaintiffs, Defendant Morongo and the other Defendants also discriminated against Plaintiffs based on their race and his age, in denying them fair compensation and promotion, and in terminating their employment with Morongo.
- irregular, negative actions, including to diminish and obscure Plaintiffs' achievements, to mislead as to the quality of Plaintiffs' work, services and accomplishments for Morongo and otherwise mischaracterize Plaintiffs' efforts, qualities and abilities. Plaintiffs were excluded from meetings and communications pertinent to and in obstruction of Plaintiffs' performance of their job functions, and were subjected to rumors and innuendos, as well as ostracism and ridicule. Plaintiffs were given derogatory labels and names. Further, Plaintiffs' ability to perform their assigned work was interfered with and obstructed. In the foregoing respects, and others, Defendants' retaliation against Plaintiffs consisted of continuing and numerous acts of improper and injurious conduct which Plaintiffs

were forced to endure while employed by, and in being terminated by, Defendant Morongo.

- 27. By the foregoing and other wrongful acts detrimental to the proper functioning of the Morongo, Defendants, and each of them, interfered with Plaintiffs' performance of their job assignments, with the active purpose and intention of undermining and interfering with Plaintiffs' employment relationship with Morongo in retaliation against Plaintiffs' internal whistle blowing and objections about the harassment and other negative conduct and statements to which they were being subjected until the end of their employment with Morongo.
- 28. Defendants, including those acting through Schultze, Chapman, Ferrell, Mercado, and Reed, publicly defamed Plaintiffs by communicating in the presence of colleagues and to third parties words to the effect that Plaintiffs were incompetent in performing their oversight and other job responsibilities. Further, Schultze, Chapman, Ferrell, Mercado, and Reed, in collaboration with other Defendants and third parties, intentionally acted to undermine Plaintiffs assigned to Morongo's security detail, changed the conditions of their security detail without their knowledge, and assigned unqualified staff to assume their security-detail responsibilities, among other obstructive behavior towards Plaintiff. Plaintiffs are informed and believe, and based thereon allege, that some or all the Defendants destroyed, altered and/or falsified records and other protected, sensitive files, and informed Plaintiffs' co-workers and third parties that Plaintiffs were about to be or at risk of being terminated, and that Plaintiffs were not needed in the Security

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Department any longer. Defendants, conspiring with others inside Morongo, also falsified and altered Plaintiffs' employment records in order to discredit and defame them, diminish or nullify their achievements, cause damage to their reputation and cause the termination of their employment.

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### D. DEFENDANTS' RETALIATION LED TO DEFENDANT MORONGO TERMINATING PLAINTIFFS' EMPLOYMENT AND COMMITTING FURTHER ACTS OF DISCRIMINATION AGAINST PLAINTIFFS.

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From July 2010, through June 2011, all of the plaintiffs were terminated for engaging in the protected activity of filing charges of discrimination with the EEOC and/or the California Department of Fair Employment and Housing ("DFEH"). Attached as Exhibit 1 through 6 are the Charges of Discrimination and the Right-To-Sue Notices from the DFEH.

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#### Ε. PLAINTIFF HAS BEEN SEVERELY INJURED, HARMED AND DAMAGED BY DEFENDANTS' WRONGDOING AND ILLEGAL ACTIONS.

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30. As a direct and proximate result of the retaliation and discrimination by Defendants toward Plaintiffs, including without limitation the hostile work environment, Defendants' intentionally targeting Plaintiffs and setting up Plaintiffs to fail, as well as the ongoing demeaning, humiliating and otherwise defamatory and otherwise discriminatory statements and conduct directed to them, Plaintiffs have experienced severe physical, mental and emotional harm and distress, including insomnia, anxiety, chest pains, severe weight loss, vertigo, and deterioration of their physical health, including exacerbating

their mental and emotional condition.

31. Plaintiffs have been unable to find comparable employment despite a diligent job search. They have had to withdraw monies from his pension plan, savings, borrowing money from family and friends, living off of unemployment benefits and disability benefits, incurring adverse tax consequences, etc. Plaintiffs have been unable to support their families or themselves. Additionally, Plaintiffs have been required to consult with mental health therapists due to symptoms of severe mental and emotional distress.

#### EXHAUSTION OF ADMINISTRATIVE REMEDIES

32. Plaintiffs timely filed Charges of Discrimination with both the EEOC and the DFEH and have received the right-to-sue notices from the DFEH which are attached to this Complaint as Exhibit 1 through 6.

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#### FIRST CAUSE OF ACTION

[Retaliation by Discrimination (Gov. Code §12940(h)) by All Plaintiffs Against Morongo]

- 33. Plaintiffs reallege and incorporate herein by reference each and every allegation set forth in Paragraphs 1 through 32, inclusive, of this complaint as stated above.
- 34. In 2010 and 2011, Defendant Morongo and the other individuals Defendants took adverse actions against Plaintiffs by terminating Plaintiffs' employment with Morongo in retaliation for Plaintiffs having identified, protested and reported discriminatory and harassing practices by Defendants, including the hostile work environment and other illegal conduct directed by Defendants against Plaintiffs and/or to which Plaintiff was subjected, as herein above alleged. Such conduct included the discriminatory and slanderous acts, conduct and statements made against Plaintiffs based on Plaintiffs' age, race, and because Plaintiffs engaged in protected activities under FEHA.
- 35. As a direct and proximate result of Defendants' unlawful retaliation leading to and resulting in the wrongful termination of Plaintiffs' employment with Defendant Morongo, Plaintiffs have sustained economic damages for the past and future loss of earnings and benefits, according to proof, including as herein above alleged.
- 36. As a further direct and proximate result of Defendants' wrongful retaliation, as aforesaid, Plaintiffs have sustained general damages for severe physical, mental and emotional injuries, distress, harm and damages in the sum to be determined according to proof herein, including as herein above

alleged, of more than \$900,000.00 for each Plaintiff.

37. Morongo's conduct in the matters alleged was oppressive and malicious towards Plaintiffs and was committed with wanton and callous disregard of Plaintiffs' rights. Plaintiffs, accordingly, are entitled to punitive and exemplary damages against Morongo, in sums sufficient to punish Morongo and set an example commensurate to Morongo's respective financial conditions.

#### SECOND CAUSE OF ACTION

[Discrimination-Color and Race Against
Morongo by All Plaintiffs(Gov. Code §12940(a))]

- 38. Plaintiffs reallege and incorporate herein by reference each and every allegation set forth in Paragraphs 1 through 37, inclusive, of this complaint as stated above.
- 39. During the period of their employment by Defendant Morongo, Plaintiffs were employees and Defendants and each of them, were employers within the scope of California's Fair Employment and Housing Act ("FEHA") (Gov. Code §12940, et seq.).
- 40. Plaintiffs, accordingly, were protected against
  Defendant Morongo, and the other Defendants were Prohibited by
  law from engaging in discrimination against Plaintiffs, including
  on the basis of color and race. Plaintiffs, each of them, were
  not Native Americans.
- 41. Defendant Morongo's discriminatory, prejudicial and disparate treatment of and conduct toward Plaintiffs, based on their color and race, violated Plaintiffs' civil and other rights, according to California law, including as afforded by the FEHA statute.

42. As a direct and proximate result of Defendants' unlawful discrimination against Plaintiffs as aforesaid, Plaintiffs have sustained economic damages for the past and future loss of earnings and benefits, according to proof, including as herein above alleged.

- 43. As a further direct and proximate result of Defendants' unlawful discrimination against Plaintiffs, as aforesaid, Plaintiffs have sustained general damages for severe physical, mental and emotional injuries, distress, harm and damages in the sum to be determined according to proof herein, including as herein above alleged.
- 44. Defendants' conduct in the matters alleged was oppressive and malicious towards Plaintiffs and was committed with wanton and callous disregard of Plaintiffs' rights. Plaintiffs, accordingly, are entitled to punitive and exemplary damages against Defendant Morongo, in sums sufficient to punish Defendant Morongo and set an example commensurate to Morongo's respective financial condition.

#### THIRD CAUSE OF ACTION

(Violation of Continuing Age Discrimination Leading to Termination of Plaintiffs Chavez, Reyes, Robinson, Stutzman, and Thompson Pursuant to FEHA Against MORONGO)

- 45. Plaintiffs reallege and incorporate herein by reference to each and every allegation set forth in Paragraphs 1 through 44, inclusive, of this complaint as stated above.
- 46. These Plaintiffs was wrongfully terminated from their employment with Defendant OCTA in major part because of their age and the retaliation and harassment directed towards Plaintiffs,

in violation of FEHA.

- 47. There is a reasonable inference of age discrimination on the part of Defendant Morongo because:
  - a. At the time of the employment actions against these Plaintiffs, they were over 40 years of age when he was fired.
  - b. The adverse actions discussed above were taken against Plaintiffs causing them great humiliation, loss of self-esteem, severe embarrassment and the loss of their jobs for which they were qualified.
  - c. Each of these Plaintiffs were replaced by younger and/or less qualified employees.
- 48. As a direct and proximate result of Defendants' actions, as alleged above, Plaintiffs have suffered special damages, including but not limited to, loss of wages, bonuses, deferred compensation, and other employment benefits, in an amount to be proven at the time of trial, in excess of the minimum jurisdictional requirements of this Court.
- 49. As a further direct and proximate result of Defendants' unlawful discrimination, as aforesaid, Plaintiffs have sustained general damages for severe physical, mental and emotional injuries, distress, harm and damages in an amount to be proven at the time of trial, in excess of the minimum jurisdictional requirements of this Court.

89. Defendants' conduct in the matters alleged was oppressive and malicious towards Plaintiffs and was committed with wanton and callous disregard of Plaintiffs' rights. Plaintiffs, accordingly, are entitled to punitive and exemplary damages against Defendants, and each of them, in sums sufficient to punish Defendants and set an example commensurate to Defendants' respective financial conditions.

#### NINTH CAUSE OF ACTION

#### FOR NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

[By All Plaintiffs Against All Defendants]

- 90. Plaintiffs reallege and incorporate herein by reference each and every allegation set forth in Paragraphs 1 through 89, inclusive, of this complaint as stated above.
- 91. Defendants and their agents engaged in the acts as alleged herein and above, which proximately resulted in injury and emotional distress to Plaintiffs. As employers, Defendants had a special duty of care on the behalf of the Plaintiffs.
- 92. At all times materially herein, Defendants knew or in the exercise of ordinary care should have known, that unless Defendants and their agents ceased to engage in the aforementioned acts, or intervened to protect Plaintiffs, and to prohibit, control, regulate and/or penalize the conduct of Defendants and their agents, as alleged herein, that the conduct would continue, thereby subjecting Plaintiffs to personal injury and emotional distress.
- 93. As a direct and proximate result of Defendants' actions against Plaintiffs, as alleged above, Plaintiffs have

suffered special damages, including but not limited to, loss of wages, bonuses, deferred compensation, and other employment benefits, in an amount to be proven at the time of trial, in excess of the minimum jurisdictional requirements of this Court.

- 94. As a further direct and proximate result of Defendants' unlawful discrimination against Plaintiffs, as aforesaid, Plaintiffs have sustained general damages for severe physical, mental and emotional injuries, distress, harm and damages in an amount to be proven at the time of trial, in excess of the minimum jurisdictional requirements of this Court.
- 95. Plaintiffs are further entitled to prejudgement interest, plus incidental and consequential damages, in an amount to be shown at trial.
- 96. Plaintiffs have incurred and will incur, and are entitled to his reasonable attorneys' fees and costs in the bringing of this action, pursuant to Gov. Code §12965.
- 97. Defendants' conduct in the matters alleged was oppressive and malicious towards Plaintiffs and was committed with wanton and callous disregard of Plaintiffs' rights.

  Plaintiffs, accordingly, are entitled to punitive and exemplary damages against Defendants and each of them, in sums sufficient to punish Defendants and set an example commensurate to Defendants' respective financial conditions. Punitive damages are available for negligent infliction of emotional distress if Plaintiffs can show that the Defendants "intentionally performed the act from which they know or should know, it is highly probable that harm will result." Slaughter v. Legal Process & Courier Services (1984) 162 Cal. App.3d 1236, 1252.

#### TENTH CAUSE OF ACTION

#### FOR DEFAMATION

[By Chavez, Herbert, Reyes, Robinson, Stutzman, and Thompson Against Morongo, Schultze, Chapman, Ferrell, Mercado, and Reed]

- 98. Plaintiffs reallege and incorporate herein by reference each and every allegation set forth in Paragraphs 1 through 97, inclusive, of this complaint as stated above.
- 99. Plaintiffs are informed and believe, and thereon allege, that during and after Plaintiffs' employment with Defendants, Defendants published or caused to be published false statements to non-privileged employees of Defendants and to third parties, i.e. vendors and contractors, and other employees, that Plaintiffs have performance, professional, mental and emotional problems and that Plaintiffs engaged in criminal or other unprofessional conduct.
- 100. The false statements and innuendos of the statements by Defendants referenced above were and are false, and Defendants, and each of them, knew the statements and innuendos to be false when they uttered and/or published the statements, and each of them, acted in reckless disregard of whether the statements and innuendos were false when they uttered and/or published the statements. Said statements were made with "actual malice," insofar as there was no factual basis for such statements whatsoever, and Defendants acted with a reckless disregard that making such statements would cause injury to Plaintiffs' reputation and employment prospects. Schultze, Chapman, Ferrell, Mercado, and Reed did not act in or for the

interest of Morongo when they made such statements. Morongo allowed and continued to utter these false statements which cause injury to the plaintiffs in the community where Plaintiffs sought and could have sought employment.

- slanderous per se because they had and have a tendency to injure Plaintiffs in their occupation by implying a lack of character and judgement, falsely implying that Plaintiffs were and/or are unfit to engage in their employment, profession and/or trade, and falsely imputing to Plaintiffs a general disqualification in those respects that their law enforcement/security profession and/or trade particularly requires and subjected Plaintiffs to contempt and ridicule.
- 102. Defendants' conduct was not privileged in as much as such statements were not made for any legitimate business purpose and were knowingly unlawfully retaliatory in nature. These statements were false and without any absolute, qualified or conditional privilege. They were not made in the interest of Morongo and did not aid Morongo in its business.
- 103. As a direct and proximate result of Defendants' actions against Plaintiffs, as alleged above, Plaintiffs have suffered special damages, including but not limited to, loss of wages, bonuses, deferred compensation, other employment benefits, and other employment in an amount to be proven at the time of trial, in excess of the minimum jurisdictional requirements of this Court.
- 104. As a further direct and proximate result of Defendants' unlawful discrimination against Plaintiffs, as

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aforesaid, Plaintiffs have sustained general damages for severe physical, mental and emotional injuries, distress, and harm and damages to their professional reputations in an amount to be proven at the time of trial, in excess of the minimum jurisdictional requirements of this Court.

- Plaintiffs are further entitled to prejudgement interest, plus incidental and consequential damages, in an amount to be shown at trial.
- 106. Plaintiffs have incurred and will incur, and are entitled to their reasonable attorneys' fees and costs in the bringing of this action, pursuant to Gov. Code §12965.
- 107. Defendants' conduct in the matters alleged was oppressive and malicious towards Plaintiffs and was committed with wanton and callous disregard of Plaintiffs' rights and professional reputation. Plaintiffs, accordingly, are entitled to punitive and exemplary damages against Defendants and each of them, in sums sufficient to punish Defendants and set an example commensurate to Defendants' respective financial conditions.

#### ELEVENTH CAUSE OF ACTION

(Breach of Contract Against Morongo)

- The allegations set forth above in paragraphs 1 through 107, inclusive, are incorporated into this claim for relief by reference as if set forth in full.
- Plaintiffs were employed by Morongo under a contract that was partly written, partly oral, and partly implied. terms of the contract relied on by Plaintiffs included but are not limited to

 $\bigcirc$ 

) Written personnel policies which provided that

(1) If an employee is performing unsatisfactorily, the employee would be disciplined in accordance with Morongo's progressive disciplinary steps;

- (2) Employees would be treated fairly and in accordance with the laws of the State of California and the United States of America;
- (B) Plaintiffs had a contract of employment so long as they performed their jobs in a satisfactory manner, and any failure to be treated fairly could only be for good cause proven or believed to be true in good faith and then would be carried out in accordance with the stated written policies of Morongo.
  - 110. Morongo breached its contract with Plaintiffs by
- (A) Refusing to give Plaintiffs a fair and equal opportunity to be treated fairly and equally like all other employees or employees who had not complained about unlawful discrimination, retaliation, and harassment and had not filed Charges of Discrimination with the EEOC/DFEH;
- (B) Blaming Plaintiffs for its discriminatory and retaliatory employment practices;
- ( C) Failing to treat Plaintiffs in accordance with Morongo's stated policies and procedures;
- (D) Expressly and constructively denying Plaintiffs their right to be treated fairly without following the policies and procedures;
- 111. Morongo refused and continued to refuse to allow Plaintiffs the benefits of their employment contract and to perform under this contract in the agreed on manner.

112. As a result of the employment relationship which existed between Plaintiffs and , the expressed and implied promise made in connection with that relationship, and the acts, conduct, and communications resulting in these implied promises, and according to the Tribal-State Compact Between the State of California and the Morongo Band of Mission Indians and the Amendment to the Tribal-State Compact Between the State of California and the Morongo Band of Mission Indians, promised to act in good faith toward and deal fairly with Plaintiffs which required, among other things, that

- (A) Each party in the relationship must act with good faith toward the other concerning all matters related to the employment;
- (B) Each party in the relationship must act with fairness toward the other concerning all matters related to the employment according to the laws of the State of California;
- (C) Neither party would take any action to unfairly prevent the other from obtaining the benefits of the employment relationship;
- (D) Morongo would similarly treat employees who are similarly situated, except for giving first rights of employment to Native Americans;
- (E) Morongo would comply with its own representations, rules, policies, procedures, and the laws of the State of California in dealing with Plaintiffs;
- (F) Morongo would give Plaintiffs' interests as much consideration as it gave its own interests or that of other similarly situated employees according to the laws of the State

of California;

- 113. Morongo's blatant discriminatory and retaliatory conduct against Plaintiffs was and is wrongful, in bad faith, and unfair, and, therefore, a violation of Morongo's legal duties to the State of California. Plaintiffs further allege that Morongo breached the covenant of good faith and fair dealing when it:
- (A) Repeatedly refused to abide by its own policies and the laws of the State of California when dealing with Plaintiffs;
- (B) Repeatedly denied the existence of the contract and the agreements made with Plaintiffs;
- ( C) Unfairly prevented Plaintiffs from obtaining the benefits of their employment relationship;
- (D) Treated similarly situated employees differently by imposing different responsibilities on similarly situated employees, and by tolerating poor performance and unlawful conduct by other similarly situated employees;
- (E) Denied Plaintiffs' rights to the same employment rights for all other non-Native American employees and employees who have not filed complaints for discrimination, retaliation, or harassment and in a manner that was inconsistent with Morongo's stated policies and practices and the laws of the State of California.
- 114. As a direct, foreseeable, and proximate result of Morongo's breach, Plaintiffs have suffered and continue to suffer substantial losses in bonuses and job benefits, the precise amount of which will be proven at trial.
- 115. Plaintiffs claim this amount together with prejudgment interest pursuant to California <u>Civil Code</u>, Section 3287 and

pursuant to any other provisions of law providing for prejudgment interest.

WHEREFORE, Plaintiffs demand judgment against Morongo as set forth in this complaint.

#### PRAYER

WHEREFORE, Plaintiffs Chavez, Herbert, Reyes, Robinson, Stutzman, and Thompson pray for judgement against all Defendants, and each of them, jointly and severally, as follows:

- 1. For actual and compensatory damages, including loss of past and future earnings, bonuses, deferred compensation, and other employment benefits, in an amount according to proof at trial;
- 2. For general and special damages, including but not limited to, pain and suffering, emotional distress, loss of reputation, and medical expenses in an amount according to proof at trial;
- 3. For consequential and incidental damages and expenses in an amount according to proof at trial;
- 4. For punitive and exemplary damages in a sum according to proof at trial;
- 5. For pre-judgement and post-judgement interest, all at the legal prevailing rate;
- 6. For civil penalties under the Private Attorneys' General Act, to the extent allowed by that statute;
- 7. Payment of Plaintiffs' reasonable and actual attorneys' fees, to the full extent authorized by statute,

1 8. For the costs of the lawsuit; and 2 For such other and further relief as the Court may 9. 3 deem proper. 4 5 DEMAND FOR JURY TRIAL 6 Plaintiffs ALBERT M. CHAVEZ; MARKIST HERBERT; RUDY REYES; GEORGE 7 W. ROBINSON, JR.; JOHN R. STUTZMAN, JR. and MICHAEL L. THOMPSON 8 hereby demand trial by jury in this action. 9 10 11 July 20, 2011 12 13 LAW OFFICES OF GLORIA DREDD HANEY 14 15 16 17 Gloria Dredd Haney 18 Attorneys for Plaintiffs ALBERT M. CHAVEZ; MARKIST HERBERT; 19 RUDY REYES; GEORGE W. ROBINSON, JR; JOHN R. STUTZMAN, JR.; and MICHAEL 20 L. THOMPSON 21 22 23 24 25 26 27 28

contract or law;

EEOC 5 orm 5 (11/09)			
CHARGE OF DISCRIMINATION	Charge	Presented To:	Agency(ies) Charge No(s):
This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		FEPA	, , , , , , , , , , , , , , , , , , ,
	X	EEOC	480-2010-02528
California Department Of Fair Employment & Housing and EEOC  State or local Agency, if any			
Name (indicate Mr., Ms., Mrs.)	gency, if any	Home Phone (Incl. Area	Code) Date of Birth
Mr. Alberto M. Chavez	i	(951) 849-273	* -
Street Address City, State and ZIP Code			
1164 W. King St., Banning, CA 92220			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name	10 201011.)	No. Employees, Members	Phone No. (Include Area Code)
MORONGO CASINO (MULTIMEDIA GAMES)		500 or More	(951) 849-3080
Street Address City, Sta	te and ZIP Code		()
49020 Seminole Dr., Cabazon, CA 92230			
Name		No. Employees, Members	Phone No. (Include Area Code)
Street Address City, State and ZIP Code			
			**, •
DISCRIMINATION BASED ON (Check appropriate box(es).)  DATE(S) DISCRIMINATION TOOK PLACE			
Earliest Latest			Latest
Present			
OTHER (See 2)			
THE PARTICULARS ARE (if additional paper is needed, attach extra sheet(s)):			CONTINUING ACTION
I. On or about May 1992, I was hired as a Video Attendant then Security. In 2003 I complained			
about sexual advances made to my figncée at work. I was discharged and later rehired			
Subsequently, my wages were reduced, I was assigned to less desirable work and subjected to threats of discharge including but not limited to profanity. Recently, I have made several			
complaints in writing but nothing has been done.			
II. No reason has been given to me for the treatment.			
III. I believe I have been discriminated in retaliation for asserting my rights and opposing			
discrimination in violation of Title VII of the Civil Rights Act of 1964, as amended.			
I want this charge filed with both the EEOC and the State or local Agency, if any. I	NOTARY - When n	ecessary for State and Loca	al Agency Requirements
will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their	l r		
procedures.	I swear or affirm t	that I rave real the abov	e Warne and hat it is true to
I declare under penalty of perjury that the above is true and correct.	the best of my kn SIGNATURE OF CO	owledge, information and	d belief.
	5.5.3.151.2.01	JUL 21	2010
lular ages	SUBSCRIBED AND	SWORN TO BEFOREME	JHIS DATE
Jul 21, 2010	(month, day, year)		
Date Charging Party Signature	į L	INTAK	E

r

# DEPARTMENT OF FAIR EMPSYMENT & HOUSING

(SEE ADDRESS CHECKED BELOW)

TTY # (800) 700-2320

			·
H	4900 Stockdale Hwy., Suite 215 Bakersfield, CA 93309 (661) 395-2729	Ms. Donna Shepard Human Resources Director Morongo Casino	EEOC Number: 480-2010-02528
C	1320 E. Shaw Avenue, Suite 150 Fresno, CA 93710 (559) 244-4760	49020 Seminole Drive Cabazon, CA 92230	Case Name: Alberto M. Chavez  Date: 7/21/2010
		NOTICE TO COMPLAI	NANT AND RESPONDENT
R/S	1055 West Seventh Street, Suite 1400 Los Angeles, CA 90017 (213) 439-6799	The state of the s	yment and Housing (DFEH) by the U.S. sion (EEOC). The complaint will be filed
M	1515 Clay Street, Suite 701 Oakland, CA 94812	sometices service pursuant to Governr	nent Code section 12962.
	(510) 622-2941	No response to the DFEH is required by	the respondent.
E	2000 "O" Street, Suite 120 Secramento, CA 95811 (916) 445-5523	The EEOC will be responsible for the pro- not be conducting an investigation into directly for any discussion of the charge of "processing waived to another agence	this matter. EEOC should be contacted
D	1350 Front Street, Suite 1063 San Diego, CA 92101 (619) 645-2681		NANT OF RIGHT-TO-SUE
Ā	San Francisco District Office 1515 Clay Street, Suite 701 Oakland, CA 94612 (510) 622-2973	Since DFEH will not be issuing an accus notice. According to Government Code may bring a civil action under the provise Housing Act against the person, employed agency named in the above-referenced of State of California Superior Court. Government in the state of California Superior Court.	ons of the Fair Employment and er, labor organization or employment
G	2570 North First Street, Suite 480 San Jose, CA 95131 (408) 325-0344	year from the date of this notice. Pursual 12965, subdivision (d)(1), this one-year pendency of the EEOC's investigation of	action must be brought within one ant to Government Code section period will be tolled during the
ĸ	2101 East Fourth Street, Suite 255-I Santa Ana, CA 92705 (714) 558-4266	attorney to determine with accuracy the filed. This right to file a civil action may agreement is signed. Questions about the referred to the EEOC.	be waived in the avert a result
		The DFEH does not retain case records b filed.	eyond three years after a complaint is
		Remember: This Right-To-Sue Notice allo State court.	ows you to file a private lawsuit in
		Sincerely,	

JENNIFER L. HARLAN Deputy Director, Employment

EEOC Form 5 (11/09)	0		0	
CHARGE OF DISC	RIMINATION	Charge	Presented To:	Agency(ies) Charge No(s):
This form is affected by the Privacy Act of 1 Statement and other information bef			FEPA	
		X	EEOC	480-2010-02528
Californ	nia Department Of Fair E		nt & Housing	and EEOC
lame (indicate Mr., Ms., Mrs.)	State or local Agency	, if any	Home Phone (incl. Area	Code) Date of Birth
Mr. Alberto M. Chavez		•	(951) 849-273	' I
Street Address	City, State and	d ZIP Code	(551) 510 210	
1164 W. King St., Banning, CA 92				
Named is the Employer, Labor Organization, Err Discriminated Against Me or Others. ( <i>If more th</i> e			State or Local Governme	nt Agency That I Believe
Name			No. Employees, Members	Phone No. (Include Area Code
MORONGO CASINO (MULTIMED	IA GAMES)		500 or More	(951) 849-3080
Street Address	City, State and	d ZIP Code		•
49020 Seminole Dr., Cabazon, C	A 92230			
Name			No. Employees, Members	Phone No. (Include Area Code
Street Address	City, State and	d ZIP Code		
DISCRIMINATION BASED ON (Check appropriate box	((es).)	·	DATE(S) DISCF	RIMINATION TOOK PLACE
			Earliest	Latest
RACE COLOR SE	RELIGION	NATIONAL <sub>I</sub> ORIG	in   07-01-20	009 08-02-2010
X RETALIATION AGE	DISABILITY GENE	TIC INFORMATI		
OTHER (Specify)			X	CONTINUING ACTION
THE PARTICULARS ARE (If additional paper is neede  AMENDED CHARGE	d, attach extra sheet(s)):			- **
I. On or about May 1992, I was sexual advances made to my fian were reduced, I was assigned to I limited to profanity. Recently, I has July 2010 to present I has demonstrated to provisor. (X-Ray Supervisors)	cée at work. I was dischar less desirable work and su ave made several complair oted from X-ray Team Se s are responsible for spe	rged and la ubjected to nts in writin curity Sup ecial event	ter rehired. Subsethreats of discharged but nothing has bervisor to Floor is.)	equently, my wages ge including but not been done. On 26 Security
II. No reason has been given Neal Reed stated it came from I		There was	no reason for th	e demotion but Lt.
III. I believe I have been discr violation of Title VII of the Civil Rig	ghts Act of 1964, as amen	ded.		
I want this charge filed with both the EEOC and the will advise the agencies if I change my address or p cooperate fully with them in the processing of my claracters.	phone number and I will harge in accordance with their		necessary for State and Lo	
I declare under penalty of perjury that the above	is true and correct.	swear craffin he best of my SIGNATURE OF	me edge, ipfermation a COMPLAINANT	re ciange and that it is true t
1			AUG 02 201	
Aug 02, 2010		SUBSCRIBED AI month, day, year	ND SWORN TO BEFORE M	
	ing Party Signature		EEOC/LADO	
			INTAKE	



#### COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

DFEH#

E201011E5812-00

**DFEH USE ONLY** 

	<u>C</u>	<u>ALIFORNIA DEPARTMENT OF FA</u>	<u> VIR EMPLOYME</u>	<u>ENT AND HOUSING</u>		
YOUR NAME (indicate Mr	. or Ms.)			TELEPHO	NE NUMBER (INCLUDE AREA CODE)	
CHAVEZ, ALI	BERT			<u> </u>	951)961-1156	
ADDRESS						
1164 WEST K	ING STREET					
CITY/STATE/ZIP			fco	UNTY	COUNTY CODE	
BANNING, CA 92220			Ri	VERSIDE	065	
NAMED IS THE EMPLO DISCRIMINATED AGAIN	YER, PERSON, LABO NST ME:	OR ORGANIZATION, EMPLOYMENT AGENCY	, APPRENTICESHIP	COMMITTEE, OR STATE O	R LOCAL GOVERNMENT AGENCY W	
NAME				TELE	PHONE NUMBER (Include Area Code)	
MORONGO G	AMING AGENO	CY CONTRACTOR OF THE CONTRACTO	•	(	951)755-5636	
ADDRESS					DFEH USE ONLY	
49500 SEMIN	OLE DRIVE					
CITY/STATE/ZIP			C	OUNTY	COUNTY CODE	
CABAZON, C	A 92230		R	RIVERSIDE	065	
NO. OF EMPLOYEES/MEMBERS (if known)		DATE MOST RECENT OR CONTINUING DISC TOOK PLACE (month,day, and year)	CRIMINATION	RESPONDENT CODE		
500+		06/17/2011		00	1	
THE PARTICULARS ARE	•		·-			
I allege that on abo	out or before	termination	denial of empl	oyment	_X_ denial of family or medical leave	
06/17/2011, the	following	laid off	denial of prom		denial of pregnancy leave	
conduct occurred:	_	_X_ demotion	denial of transfer		denieal of equal pay	
		harassment	denial of accommodation		denial of right to wear pants	
		genetic characteristics testing		ent discrimination or retaliation	denial of pregnancy accommodation	
		constructive discharge (forced to quit) impermissible non-job-related inquiry	· ——			
h. MODONGO	GAMING AGE		<u></u>		<del></del>	
by MORONGC		ume of Person	Joh Title (eur	pervisor/manager/personnel dire	Antorioto )	
because of :			. ,	- ,	•	
Decause of .		sex national origin/ancestry	X disability (physical or mental)		retaliation for engaging in protected	
	·	age marital status		I condition (cancer or	activity or requesting a protected	
-		religion sexual orientation race/color association	generic chracteristic		leave or accommodation	
State of what you believe to be the reason(s) for discrimination	ON JULY 21, 2010, EMPLOYER WAS N	Tace/color association  I FILED A CHARGE OF DISCRIMINATION WITH TO ITED OF MY ATTEMPT TO FILE A CHARGE. EMPLOYMENT WAS TERMINATED WHILE ON A	THE EEOC, (SEE CAS SHORTLY, AFTER R	ETURNING TO WORK I WAS I	HARASSED AND DEMOTED. LATER, ON	
the U.S. Equal Employment whichever is earlier.	nt Opportunity Commis	uest that the Department of Fair Employment and H sion (EEOC) to file a complaint within 30 days of re	ceipt of the DFEH "No	tice of Case Closure," or within	300 days of the alleged discriminatory act,	
		, nor do I make it based on fear of retaliation if I do en closed on the basis of "Complainant Elected Co		d it is the Department of Fair Er	nployment and Housing's policy to not proc	

Dated 06/25/2011

At Sun City

DATE FILED: 06/25/2011

By submitting this complaint I am declaring under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge except as to matters stated on my information and belief, and as to those matters I believe it to be true.



AND CONSUMER SERVICES AGENC

#### **DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

Phyllis W. Cheng, Director

2218 KAUSEN DRIVE, SUITE 100, ELK GROVE, CA 95758 (916) 445 5523 www.dfeh.ca.gov

June 25, 2011

CHAVEZ, ALBERT 1164 WEST KING STREET BANNING, CA 92220

RE: E201011E5812-00

CHAVEZ/MORONGO GAMING AGENCY

Dear CHAVEZ, ALBERT:

#### NOTICE OF CASE CLOSURE

This letter informs that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective June 25, 2011 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

This letter is also the Right-To-Sue Notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.



Sincerely,

Allan Pederson

**District Administrator** 

cc: Case File



CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

#### **COMPLAINT OF DISCRIMINATION UNDER** THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

YOUR NAME (indicate Mr. or Ms.)

DFEH#	E201011E5812-01
	DFEH USE ONLY

YOUR NAME (indicate Mr. or Ms.)		TELEPHONE NUMBER (INCLUDE AREA CO			
CHAVEZ, ALBERT			(951)961-1156		
ADDRESS					
1164 WEST KING STREET					
CITY/STATE/ZIP		COUNTY	COUNTY CODE		
BANNING,CA,92220		RIVERSIDE	065		
NAMED IS THE EMPLOYER, PERSON, LABOR DISCRIMINATED AGAINST ME:	R ORGANIZATION, EMPLOYMENT AGENCY,	APPRENTICESHIP COMMITTEE, OR S	STATE OR LOCAL GOVERNMENT AGENCY WH		
NAME			TELEPHONE NUMBER (Include Area Code)		
CHAPMAN, RALPH			(951)755-5636		
ADDRESS			DFEH USE ONLY		
49500 SEMINOLE		•	!		
CITY/STATE/ZIP		COUNTY	COUNTY CODE		
CABAZON, CA 92230			!		
NO. OF EMPLOYEES/MEMBERS (if known)	DATE MOST RECENT OR CONTINUING DISC TOOK PLACE (month,day, and year)	RIMINATION RESPONDENT C	ODE		
500+	06/17/2011	01	!		
THE PARTICULARS ARE:					
I allege that on about or before	termination	denial of employment	_X_ denial of family or medical leave		
06/17/2011, the following	laid off	denial of promotion	denial of pregnancy leave		
conduct occurred:	X demotion harassment	denial of transfer	denieal of equal pay		
	genetic characteristics testing	denial of accommodationX failure to prevent discrimination or reta	denial of right to wear pants		
	constructive discharge (forced to quit)	X retaliation	liation denial of pregnancy accommodation		
	impermissible non-job-related inquiry	X other (specify) Termination, Harass	sment		
by CHAPMAN, RALPH		LIEUTENANT			
Nam	e of Person	Job Title (supervisor/manager/perso	onnel director/etc.)		
because of :	ex national origin/ancestry	X disability (physical or mental)	retallation for engaging in protected		
8	ge marital status	medical condition (cancer or	activity or requesting a protected		
- · · - · · - · · - · · - · · · - ·	digion sexual orientation	generic chracteristic	leave or accommodation		
ra	ce/color association	other (specify)			
Deligate to be tile FWNFOAFK MYS NO	FILED A CHARGE OF DISCRIMINATION WITH TH TIFIED OF MY ATTEMPT TO FILE A CHARGE. S MPLOYMENT WAS TERMINATED WHILE ON AL	HORTLY, AFTER RETURNING TO WORK	I WAS HARASSED AND DEMOTED LATER ON		
the U.S. Equal Employment Opportunity Commission whichever is earlier.  I have not been coerced into making this request, n	on (EEOC) to file a complaint within 30 days of rec	eipt of the DFEH "Notice of Case Closure," of the Department of th	nat if I want a federal notice of right-to-sue, I must visitor within 300 days of the alleged discriminatory act,  If Fair Employment and Housing's policy to not proces		

Dated 06/25/2011

At Sun City

DATE FILED: 06/25/2011

By submitting this complaint I am declaring under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge except as to matters stated on my information and belief, and as to those matters I believe it to be true.

Phyllis W. Cheng, Director



#### **DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

2218 KAUSEN DRIVE, SUITE 100, ELK GROVE, CA 95758 (916) 445 5523 www.dfeh.ca.gov

June 25, 2011

CHAVEZ, ALBERT 1164 WEST KING STREET BANNING,CA,92220

RE: E201011E5812-01

CHAVEZ/CHAPMAN, RALPH, AS AN INDIVIDUAL

Dear CHAVEZ, ALBERT:

#### NOTICE OF CASE CLOSURE

This letter informs that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective June 25, 2011 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

This letter is also the Right-To-Sue Notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.



Sincerely,

Allan Pederson

**District Administrator** 

cc: Case File



# COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

DFEH # E201011E5812-02

DFEH USE ONLY

	CALIFORNIA DEPARTMENT OF FA	IR EMPLOYMENT AND HOUSING	3
OUR NAME (indicate Mr. or Ms.)			IONE NUMBER (INCLUDE AREA CODE)
CHAVEZ, ALBERT			(951)961-1156
DDRESS		,	
1164 WEST KING STREE	ET		
CITY/STATE/ZIP		COUNTY	COUNTY CODE
BANNING,CA,92220	•	RIVERSIDE	065
IAMED IS THE EMPLOYER, PERSON DISCRIMINATED AGAINST ME:	, LABOR ORGANIZATION, EMPLOYMENT AGENCY,	APPRENTICESHIP COMMITTEE, OR STATE	OR LOCAL GOVERNMENT AGENCY W
IAME		TEI	EPHONE NUMBER (Include Area Code)
FERRELL, ROBERT		£ .	(951)755-5636
DDRESS			DFEH USE ONLY
49500 SEMINOLE			
ITY/STATE/ZIP		COUNTY	COUNTY CODE
CABAZON, CA 92230			
O. OF EMPLOYEES/MEMBERS (if know	n) DATE MOST RECENT OR CONTINUING DISC TOOK PLACE (month,day, and year)	RIMINATION RESPONDENT CODE	
500+	06/17/2011	02	ļ.
HE PARTICULARS ARE:		***	
allege that on about or before	termination	denial of employment	X denial of family or medical leave
06/17/2011, the following	laid off	denial of promotion	denial of pregnancy leave
onduct occurred:	X_ demotion	denial of transfer	denieal of equal pay
onaudi occurred.	harassment	denial of accommodation	denial of right to wear pants
	genetic characteristics testing	_X_ failure to prevent discrimination or retaliation	denial of pregnancy accommodation
	constructive discharge (forced to quit)	X retaliation	
	impermissible non-job-related inquiry	X other (specify) <u>Termination, Harassment</u>	
y FERRELL, ROBERT		HR DIRECTOR	
	Name of Person	Job Title (supervisor/manager/personnel d	irector/etc.)
ecause of :	sex national origin/ancestry	X disability (physical or mental)	retaliation for engaging in protected
	age marital status	medical condition (cancer or	activity or requesting a protected
	religion sexual orientation	generic chracteristic	leave or accommodation
	race/color association	other (specify)	
toto of what you		t	<del></del>
SWALD TO BE SHE SWALD LEK A	2010, I FILED A CHARGE OF DISCRIMINATION WITH TI VAS NOTIFIED OF MY ATTEMPT TO FILE A CHARGE. S 1, MY EMPLOYMENT WAS TERMINATED WHILE ON AU	SHORTLY, AFTER RETURNING TO WORK I WAS	CHARASSED AND DEMOTED LATED ON

I have not been coerced into making this request, nor do I make it based on fear of retaliation if I do not do so. I understand it is the Department of Fair Employment and Housing's policy to not process or reopen a complaint once the complaint has been closed on the basis of "Complainant Elected Court Action."

By submitting this complaint I am declaring under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge except as to matters stated on my information and belief, and as to those matters I believe it to be true.

Dated 06/25/2011

At Sun City

DATE FILED: 06/25/2011



### UNSTIMED SERVICES AGENCY

#### **DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

Phyllis W. Cheng, Director

2218 KAUSEN DRIVE, SUITE 100, ELK GROVE, CA 95758 (916) 445 5523 www.dfeh.ca.gov

June 25, 2011

CHAVEZ, ALBERT 1164 WEST KING STREET BANNING,CA,92220

RE: E201011E5812-02

CHAVEZ/FERRELL, ROBERT, AS AN INDIVIDUAL

Dear CHAVEZ, ALBERT:

#### NOTICE OF CASE CLOSURE

This letter informs that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective June 25, 2011 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

This letter is also the Right-To-Sue Notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.





Sincerely,

Allan Pederson

cc: Case File

District Administrator

# \* \* \* EMPLOYMENT \* \* \*

# COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

FE	1 #	E20

E201011E5812-03

DFEH USE ONLY

FAIR EMPLOYMENT AND H	DUSING ACT			
Q	ALIFORNIA DEPARTMENT OF FAII	R EMPLOYM	ENT AND HOUSING	
YOUR NAME (indicate Mr. or Ms.)			TELEPHO	NE NUMBER (INCLUDE AREA CODE)
CHAVEZ, ALBERT		r		951)961-1156
ADDRESS				
1164 WEST KING STREET				
CITY/STATE/ZIP		CO	YTNUC	COUNTY CODE
BANNING,CA,92220		RI	VERSIDE	065
NAMED IS THE EMPLOYER, PERSON, LAB DISCRIMINATED AGAINST ME:	BOR ORGANIZATION, EMPLOYMENT AGENCY, A	APPRENTICESHII	P COMMITTEE, OR STATE O	OR LOCAL GOVERNMENT AGENCY WHO
NAME			TELE	PHONE NUMBER (Include Area Code)
SCHULTZE, JERRY		N N	* (	(951)755-5636
ADDRESS			340000000	DFEH USE ONLY
49500 SEMINOLE		V/ V/A9		
CITY/STATE/ZIP		C	COUNTY	COUNTY CODE
CABAZON, CA 92230				
NO. OF EMPLOYEES/MEMBERS (if known)	DATE MOST RECENT OR CONTINUING DISCF TOOK PLACE (month,day, and year)	RIMINATION	RESPONDENT CODE	1
500+	06/17/2011		03	
THE PARTICULARS ARE:				
I allege that on about or before	termination	denial of emp	CHILD CONTROL OF THE	X denial of family or medical leave
06/17/2011, the following	laid off _ X_ demotion	denial of promotion denial of transfer		denial of pregnancy leave denies of equal pay
conduct occurred:	harassment	denial of accommodation		denial of right to wear pants
	genetic characteristics testing	X_ failure to prevent discrimination or retaliation		denial of pregnancy accommodation
	constructive discharge (forced to quit)	X retaliation		
	impermissible non-job-related inquiry	X other (specif	y) <u>Termination, Harassment</u>	
by SCHULTZE, JERRY		1 1	EXECUTIVE DIRECTO	OR .
· · · · · · · · · · · · · · · · · · ·	Name of Person	Job Title (su	pervisor/manager/personnel di	rector/etc.)
because of:	sex national origin/ancestry	_X_ disabl	lity (physical or mental)	retaliation for engaging in protected
*	age marital status		cal condition (cancer or	activity or requesting a protected
_	religion sexual orientation	gener	tic chracteristic	leave or accommodation
	race/color association	other	(specify)	
believe to be the EMPLOYER WAS	D, I FILED A CHARGE OF DISCRIMINATION WITH T NOTIFIED OF MY ATTEMPT TO FILE A CHARGE. S Y EMPLOYMENT WAS TERMINATED WHILE ON AU	SHORTLY, AFTER I	RETURNING TO WORK I WAS	HARASSED AND DEMOTED. LATER, ON
I wish to pursue this matter in court, I hereby re the U.S. Equal Employment Opportunity Comm whichever is earlier.	quest that the Department of Fair Employment and Ho sission (EEOC) to file a complaint within 30 days of rec	ousing provide a right ceipt of the DFEH *N	nt-to-sue. I understand that if I w lotice of Case Closure," or withi	vant a federal notice of right-to-sue, I must visit n 300 days of the alleged discriminatory act,
I have not been coerced into making this reque or reopen a complaint once the complaint has I	est, nor do I make it based on fear of retaliation if I do n been closed on the basis of "Complainant Elected Cou	not do so. I understa art Action."	nd it is the Department of Fair E	Employment and Housing's policy to not proces
By submitting this complaint I am declaring matters stated on my information and belief	under penalty of perjury under the laws of the Sta f, and as to those matters I believe it to be true.	ite of California tha	at the foregoing is true and co	rrect of my own knowledge except as to

Dated 06/25/2011

At Sun City

DATE FILED: 06/25/2011



 $\bigcirc$ 

Phyllis W. Cheng, Director

#### **DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

2218 KAUSEN DRIVE, SUITE 100, ELK GROVE, CA 95758 (916) 445 5523 www.dfeh.ca.gov

June 25, 2011

CHAVEZ, ALBERT 1164 WEST KING STREET BANNING,CA,92220

RE: E201011E5812-03

CHAVEZ/SCHULTZE, JERRY, AS AN INDIVIDUAL

Dear CHAVEZ, ALBERT:

#### NOTICE OF CASE CLOSURE

This letter informs that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective June 25, 2011 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

This letter is also the Right-To-Sue Notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

Sincerely,

Allan Pederson

District Administrator

cc: Case File



#### **COMPLAINT OF DISCRIMINATION UNDER** THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

DEED #	

E201011E5812-04

**DFEH USE ONLY** 

	C/	ALIFORNIA	DEPARTMENT OF FA	IR EMPLOYM	ENT AND HOUSING	3	
YOUR NAME (indicate Mr. o				TELEPHONE NUMBER (INCLUDE AREA CODE)			
CHAVEZ, ALB	ERT					(951)961-1156	
ADDRESS							
1164 WEST KI	NG STREET						
CITY/STATE/ZIP	<u> </u>			CO	DUNTY	COUNTY CODE	
BANNING,CA,	92220			Ri	VERSIDE	065	
NAMED IS THE EMPLOYI DISCRIMINATED AGAINS	ER, PERSON, LABO	R ORGANIZATI	ON, EMPLOYMENT AGENCY	, APPRENTICESHII	COMMITTEE, OR STATE	OR LOCAL GOVERNMENT AGENCY WH	
NAME	···				TEL	EPHONE NUMBER (Include Area Code)	
MARCADO, RO	OD					(951)755-5636	
ADDRESS						DFEH USE ONLY	
49500 SEMINO	LE					Dren doe oner	
CITY/STATE/ZIP				C	OUNTY	COUNTY CODE	
CABAZON, CA	92230						
NO. OF EMPLOYEES/MEMBERS (if known) DAT		DATE MOST F	ECENT OR CONTINUING DISC (month,day, and year)	RIMINATION	RESPONDENT CODE		
500+		06/17/2	2011	04		,	
THE PARTICULARS ARE:							
l allege that on about or before  06/17/2011, the following  conduct occurred:		laid X den hare		denial of promotion denial of transfer denial of accommodation X failure to prevent discrimination or retaliation X retaliation		denial of family or medical leave denial of pregnancy leave denieal of equal pay denial of right to wear pants denial of pregnancy accommodation	
by MARCADO, I	ROD		•	н	IR MANAGER		
	Nan	ne of Person			ervisor/manager/personnel di	rector/etc.)	
age marital str religion sexual ori		national origin/ancestry marital status sexual orientation association	X disability (physical or mental) retaliation for engaging in p		retaliation for engaging in protected activity or requesting a protected		
	EMILEO LEK MAS ME	MICICU OF MIX A	E OF DISCRIMINATION WITH TI TTEMPT TO FILE A CHARGE. S AS TERMINATED WHILE ON AU	SHORTLY. AFTER RI	ETURNING TO WORK I WAS	G MY VISIT WITH THE EEOC, MY HARASSED AND DEMOTED. LATER, ON E.	

I have not been coerced into making this request, nor do I make it based on fear of retaliation if I do not do so. I understand it is the Department of Fair Employment and Housing's policy to not process or reopen a complaint once the complaint has been closed on the basis of "Complainant Elected Court Action."

By submitting this complaint i am declaring under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge except as to matters stated on my information and belief, and as to those matters I believe it to be true.

Dated 06/25/2011

At Sun City

DATE FILED: 06/25/2011





Phyllis W. Cheng, Director

#### DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

2218 KAUSEN DRIVE, SUITE 100, ELK GROVE, CA 95758 (916) 445 5523 www.dfeh.ca.gov

June 25, 2011

CHAVEZ, ALBERT 1164 WEST KING STREET BANNING,CA,92220

RE: E201011E5812-04

CHAVEZ/MARCADO, ROD, AS AN INDIVIDUAL

Dear CHAVEZ, ALBERT:

#### **NOTICE OF CASE CLOSURE**

This letter informs that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective June 25, 2011 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

This letter is also the Right-To-Sue Notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.



Sincerely,

Allan Pederson

cc: Case File

District Administrator



#### COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

DFEH # E201011E5812-05

DFEH USE ONLY

<u>C/</u>	<u>ALIFORNIA DEPARTMENT OF FAI</u>	R EMPLOYMI	<u>ENT AND HOUSIN</u> G		
YOUR NAME (indicate Mr. or Ms.)			TELEPHO	NE NUMBER (INCLUDE AREA CODE)	
CHAVEZ, ALBERT			(	(951)961-1156	
ADDRESS					
1164 WEST KING STREET					
CITY/STATE/ZIP		co	UNTY	COUNTY CODE	
BANNING,CA,92220		RI	VERSIDE	065	
NAMED IS THE EMPLOYER, PERSON, LABO DISCRIMINATED AGAINST ME:	OR ORGANIZATION, EMPLOYMENT AGENCY,	APPRENTICÉSHIP	COMMITTEE, OR STATE C	OR LOCAL GOVERNMENT AGENCY WH	
NAME			TELE	PHONE NUMBER (Include Area Code)	
REED, NEAL			(	(951)755-5636	
ADDRESS				DFEH USE ONLY	
49500 SEMINOLE					
CITY/STATE/ZIP		C	OUNTY	COUNTY CODE	
CABAZON, CA 92230				1	
NO. OF EMPLOYEES/MEMBERS (if known)	DATE MOST RECENT OR CONTINUING DISCI TOOK PLACE (month,day, and year)	RIMINATION	RESPONDENT CODE		
500+	06/17/2011	05		 	
THE PARTICULARS ARE:					
I allege that on about or before	termination	denial of empl	loyment	X denial of family or medical leave	
<u>06/17/2011</u> , the following	laid off	denial of promotion denial of transfer		denial of pregnancy leave	
conduct occurred:	_X_ demotion harassment	denial of transfer		denieal of equal pay denial of right to wear pants	
	genetic characteristics testing		ent discrimination or retaliation		
	constructive discharge (forced to quit)				
	impermissible non-job-related inquiry	X other (specify)	Termination, Harassment		
by REED, NEAL		A	DMINISTRATIVE LIE	UTENANT	
Na	me of Person	Job Title (sup	pervisor/manager/personnel dire	ector/etc.)	
because of :	sex national origin/ancestry	_X_ disabili	ty (physical or mental)	retaliation for engaging in protected	
	age marital status		it condition (cancer or	activity or requesting a protected	
	religion sexual orientation race/color association	generic chracteristic		leave or accommodation	
State of what you ON JULY 21, 2010, I EMPLOYER WAS N	FILED A CHARGE OF DISCRIMINATION WITH TH OTIFIED OF MY ATTEMPT TO FILE A CHARGE. S EMPLOYMENT WAS TERMINATED WHILE ON AL	HE EEOC, (SEE CAS HORTLY, AFTER R	ETURNING TO WORK I WAS	HARASSED AND DEMOTED. LATER, ON	
I wish to pursue this matter in court. I hereby require U.S. Equal Employment Opportunity Commiss whichever is earlier.	est that the Department of Fair Employment and Ho sion (EEOC) to file a complaint within 30 days of rec	using provide a right eipt of the DFEH "No	-to-sue. I understand that if I waterice of Case Closure," or within	ant a federal notice of right-to-sue, I must visi 300 days of the alleged discriminatory act,	
	nor do I make it based on fear of retaliation if I do non closed on the basis of "Complainant Elected Coul		d it is the Department of Fair Er	mployment and Housing's policy to not proces	
By submitting this complaint I am declaring ur matters stated on my information and belief, a	nder penalty of perjury under the laws of the Stat and as to those matters I believe it to be true.	e of California that	the foregoing is true and cor	rect of my own knowledge except as to	

Dated 06/25/2011

At Sun City

DATE FILED: 06/25/2011



#### **DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

Phyllis W. Cheng, Director

2218 KAUSEN DRIVE, SUITE 100, ELK GROVE, CA 95758 (916) 445 5523 www.dfeh.ca.gov

June 25, 2011

CHAVEZ, ALBERT 1164 WEST KING STREET BANNING,CA,92220

RE: E201011E5812-05

CHAVEZ/REED, NEAL, AS AN INDIVIDUAL

Dear CHAVEZ, ALBERT:

#### NOTICE OF CASE CLOSURE

This letter informs that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective June 25, 2011 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

This letter is also the Right-To-Sue Notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.



Sincerely,

Allan Pederson

District Administrator

cc: Case File

DISCRIMINATION BASED ON (Check appropriate box(es).)  X RACE COLOR SEX RELIGION NATIONAL ORIGIN OTHER (Specify)  THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): Amended  I. On or about June 2007, I was hired as a Security Officer. In June 2008, I was other non-African American Security Officers were given a raise. Later, I received my redenied a cost of living increase, and equipment. Again, other non-African American en received the cost of living increase, and equipment. In early July 2010, I complained at environment. I have not received a response. On or about July 30, 2010, I was threater I continued to complain.  II. Jerry Schultze, Executive Director, and other managers told me the raise, cost of equipment were not in the budget. On or about July 30, 2010, Lieutenant Chapman, told would be terminated.  III. I believe I have been discrimination because of my race (African American) and asserting my rights and opposing discrimination in violation of Title VII of the Civil Rights.			
California Department Of Fair Employment & Housing  State or local Agency. If any  Markist Herbert  Street Address  27620 Connie Way, Sun City, CA 92586  Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government of the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government of More Than two, list under PARTICULARS below.)  Name  MORONGO CASINO (MULTIMEDIA GAMES)  Street Address  City, State and ZIP Code  City, State and ZIP Code  No. Employees, Member 500 or More State of Local Government of the City, State and ZIP Code  City, State and ZIP Code  City, State and ZIP Code  ON. Employees, Member 500 or More Street Address  City, State and ZIP Code  City, State and ZIP Code  ON. Employees, Member 500 or More Street Address  City, State and ZIP Code  City, State and ZIP Code  ON. Employees, Member 500 or More Street Address  City, State and ZIP Code  ON. Employees, Member 500 or More Street Address  City, State and ZIP Code  ON. Employees, Member 500 or More Street Address  City, State and ZIP Code  ON. Employees, Member 500 or More Street Address  City, State and ZIP Code  ON. Employees, Member 500 or More Street Address  City, State and ZIP Code  ON. Employees, Member 500 or More Street Address  City, State and ZIP Code  ON. Employees, Member 500 or More Street Address  On. Employees, Member 500 or More Street Address  Address  City, State and ZIP Code  ON. Employees, Member 500 or More Street Address  On. Employees,	A	 Agency	(ies) Charge No(s)
California Department Of Fair Employment & Housing  State or local Agency. If any  Market Herbert  Street Address  27620 Connie Way, Sun City, CA 92586  Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Govern Discortiminated Against Me or Others. (If more than two, list under PARTICULARS below.)  No. Employees, Menthe MORONGO CASINO (MULTIMEDIA GAMES)  Street Address  City, State and ZIP Code  49020 Seminole Dr., Cabazon, CA 92230  No. Employees, Menthe Street Address  City, State and ZIP Code  City, State and ZIP Code  1. On Cabazon, CA 92230  DISCRIMINATION BASED ON (Check appropriate box(es).)  X RACE COLOR SEX RELIGION NATIONAL ORIGIN OT-01-1.  X RETALLATION AGE DISABILITY GENETIC INFORMATION  IN PARTICULARS ARE (if additional paper is needed, attach extra shee((e)):  Amended  1. On or about June 2007, I was hired as a Security Officer. In June 2008, I was cother non-African American Security Officers were given a raise. Later, I received my redenied a cost of living increase, and equipment. Again, other non-African American entreceived the cost of living increase, and equipment. In early July 2010, I complained all environment. I have not received a response. On or about July 30, 2010, I was threater I continued to complain.  II. Jerry Schultze, Executive Director, and other managers told me the raise, cost of equipment were not in the budget. On or about July 30, 2010, Lieutenant Chapman, told would be terminated.  III. I believe I have been discrimination because of my race (African American) and asserting my rights and opposing discrimination in violation of Title VII of the Civil Rights		• ,	(,
Name (indicate Mr., Ms., Mrs.)  Markist Herbert  Street Address  27620 Connie Way, Sun City, CA 92586  Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Govern Discriminated Against Me or Others. (if more than two, list under PARTICULARS below.)  Name  MORONGO CASINO (MULTIMEDIA GAMES)  Street Address  City, State and ZIP Code  No. Employees, Member 500 or More  City, State and ZIP Code  No. Employees, Member 500 or More  City, State and ZIP Code  No. Employees, Member 500 or More  City, State and ZIP Code  Name  No. Employees, Member 500 or More  City, State and ZIP Code  DISCRIMINATION BASED ON (Check appropriate box(es).)  X RACE		48	30-2010-02532
Markist Herbert  Street Address  City. State and ZIP Code  (562) 756-2  City. State and ZIP Code  No. Employees, Member 500 or More  MORONGO CASINO (MULTIMEDIA GAMES)  Street Address  City. State and ZIP Code  City. State and			and EEOC
Street Address  City, State and ZIP Code  Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Govern  Moriminated Against Me or Others. (If more than two, list under PARTICULARS below.)  Name  MORONGO CASINO (MULTIMEDIA GAMES)  Street Address  City, State and ZIP Code  DISCRIMINATION BASED ON (Check appropriate box(es).)  X RACE		Series I	
27620 Connie Way, Sun City, CA 92586  Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Govern Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)  Name  MORONGO CASINO (MULTIMEDIA GAMES)  Street Address  City, State and ZIP Code  DISCRIMINATION BASED ON (Check appropriate box(es).)  X RACE		· ' I	Date of Birth 06-15-1973
MORONGO CASINO (MULTIMEDIA GAMES)  Street Address  City, State and ZIP Code  49020 Seminole Dr., Cabazon, CA 92230  Name  No. Employees, Member 5000 or More  City, State and ZIP Code  DISCRIMINATION BASED ON (Check appropriate box(es).)  X RACE			00-10-13/3
MORONGO CASINO (MULTIMEDIA GAMES)  Street Address  City, State and ZIP Code  Ago 20 Seminole Dr., Cabazon, CA 92230  Name  City, State and ZIP Code  City, State and ZIP Code  DISCRIMINATION BASED ON (Check appropriate box(es).)  X RACE	nent	t Agenc	cy That I Believe
A9020 Seminole Dr., Cabazon, CA 92230  Name  No. Employees, Mehilor  Street Address  City, State and ZIP Code  City, State and ZIP Code  DISCRIMINATION BASED ON (Check appropriate box(es).)  X RACE	·T	Phone	No. (Include Area Code,
Name    No. Employees, Methods   No. Employees, No. Empl	$\perp$	(9	51) 755-5340
Street Address  City, State and ZIP Code  DISCRIMINATION BASED ON (Check appropriate box(es).)  X RACE			
Street Address  City, State and ZIP Code  DISCRIMINATION BASED ON (Check appropriate box(es).)  X RACE			
DISCRIMINATION BASED ON (Check appropriate box(es).)  X RACE COLOR SEX RELIGION NATIONAL ORIGIN OT-01- X RETALIATION AGE DISABILITY GENETIC INFORMATION  THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): Amended  I. On or about June 2007, I was hired as a Security Officer. In June 2008, I was other non-African American Security Officers were given a raise. Later, I received my radenied a cost of living increase, and equipment. Again, other non-African American en received the cost of living increase, and equipment. In early July 2010, I complained at environment. I have not received a response. On or about July 30, 2010, I was threater I continued to complain.  II. Jerry Schultze, Executive Director, and other managers told me the raise, cost of equipment were not in the budget. On or about July 30, 2010, Lieutenant Chapman, told would be terminated.  III. I believe I have been discrimination because of my race (African American) and asserting my rights and opposing discrimination in violation of Title VII of the Civil Rights amended.	+	二	o. Vinclude Land Code)
DISCRIMINATION BASED ON (Check appropriate box(es).)  X RACE COLOR SEX RELIGION NATIONAL ORIGIN OTHER (Specify)  THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): Amended  I. On or about June 2007, I was hired as a Security Officer. In June 2008, I was other non-African American Security Officers were given a raise. Later, I received my radenied a cost of living increase, and equipment. Again, other non-African American erreceived the cost of living increase, and equipment. In early July 2010, I complained all environment. I have not received a response. On or about July 30, 2010, I was threater I continued to complain.  II. Jerry Schultze, Executive Director, and other managers told me the raise, cost of equipment were not in the budget. On or about July 30, 2010, Lieutenant Chapman, told would be terminated.  III. I believe I have been discrimination because of my race (African American) and asserting my rights and opposing discrimination in violation of Title VII of the Civil Rights amended.		"Plibne I	No. Ynches Amd Code)
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X RACE COLOR SEX RELIGION NATIONAL ORIGIN 07-01-1 X RETALIATION AGE DISABILITY GENETIC INFORMATION X  THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):  Amended  I. On or about June 2007, I was hired as a Security Officer. In June 2008, I was other non-African American Security Officers were given a raise. Later, I received my radenied a cost of living increase, and equipment. Again, other non-African American em received the cost of living increase, and equipment. In early July 2010, I complained all environment. I have not received a response. On or about July 30, 2010, I was threater I continued to complain.  II. Jerry Schultze, Executive Director, and other managers told me the raise, cost of equipment were not in the budget. On or about July 30, 2010, Lieutenant Chapman, told would be terminated.  III. I believe I have been discrimination because of my race (African American) and asserting my rights and opposing discrimination in violation of Title VII of the Civil Rights amended.		OC/LA NTAKE	
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would be terminated.  III. I believe I have been discrimination because of my race (African American) and asserting my rights and opposing discrimination in violation of Title VII of the Civil Rights	ise plogout out	e but h byees it a ho with t	nave been have estile work termination if
amended.	f liv I m	/ing a	nd complained I
want this charge filed with both the EEOC and the State and	n re	etalia ct of 1	ition for 1964, as
sooperate fully with them in the processing of my charge in accordance with their procedures.			
declare under penalty of perjury that the above is true and correct.  I swear or affirm that I have read the ab the best of my knowledge, information a SIGNATURE OF COMPLAINANT  I	ve c	charge a	and that it is true to
Aug 02, 2010  SUBSCRIBED AND SWORN TO BEFORE M (month, day, year)  Charging Party Signature	E THI	IIS DATE	<b>E</b>

#### STATE OF CALIFORNIA - State and Consumer Services Agency

# DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

2014003042

(SEE ADDRESS CHECKED BELOW)

TTY # (80	01 700-2320		
Н	-1900 Stockdalo Hwy., Suito 215 Bakerslield, CA 93309 (661) 395-2729	Ms. Donna Shepard Human Resources Director Monrongo Casino 49020 Seminole Drive	EEOC Number: 480-2010-02532 Case Name: Herbert Markist
C	1320 E. Shaw Avenus, Suite 150 Fresna, CA 93710 (559) 244-4750		Date: 7/21/2010
		NOTICE TO COM	PLAINANT AND RESPONDENT
R/S	1055 West Seventh Street, Suite 1400 Los Angeles, CA 90017 (213) 439-6799	Equal Employment Opportunity Co.	re-referenced complaint is being referred to imployment and Housing (DFEH) by the U.S. mmission (EEOC). The complaint will be filed ernment Code section 12960. This notice
M	Oakland, CA 94612 (510) 822-294;	No response to the DFEH is require	
Ē	2000 °0" Street, Suite 120 Sacramento, CA 95811 (915) 445-5523	The EEOC will be responsible for the	ne processing of this complaint. DFEH will into this matter. EEOC should be contacted harge. DEEH is closing its asset of the contacted harge.
	1350 Front Street, Suite 1063 San Diego, CA 92101 (619) 645-2681	NOTICE TO COM	PLAINANT OF RIGHT-TO-SUE
A G	San Francisco District Office 1515 Cley Street, Suite 701 Osldand, CA 94612 (510) 822-2973 2570 North First Street, Suite 480 San Jose, CA 95131 (408) 328-0344	may bring a civil action under the processing Act against the person, emagency named in the above-reference State of California Superior Court, subdivision (b), provides that such a	civil action must be brought within one
ĸ	2101 East Fourth Stroot, Suite 255- Santa Ana, CA 92705 (714) 568-4266	attorney to determine with accuracy filed. This right to file a civil action	on of your complaint. You should consult an the date by which a civil action must be may be waived in the event a settlement but the right to file under federal law should
		The DFEH does not retain case recordiled.	rds beyond three years after a complaint is
		Remember: This Right-To-Sue Notic State court.	e allows you to file a private lawsuit in
		<b>A</b> 1	

Sincerely,

JENNIFER L. HARLAN

Deputy Director, Employment

# \* \* \* EMPLOYMENT \* \* \*

# COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

DFEH#_	E201011S5808-08	
	DEEH LISE ONLY	_

	CALIFORNIA DEPARTMENT OF FA	VIR EMPLOYM	MENT AND HOUSE	NG		
TOUR NAME (Indicate Mr. or Ms.)					BER (INCLUDE AREA CODE)	
HERBERT, MARKIST					23-4040	
ADDRESS		9 No.	<u> </u>	(001)//		
27620 CONNIE WAY						
CITY/STATE/ZIP		CC	YTAUC		COUNTY CODE	
SUN CITY,CA,92586-2301		R	IVERSIDE		COUNTY CODE	
NAMED IS THE EMPLOYER, PERSON, LAB DISCRIMINATED AGAINST ME:	OR ORGANIZATION, EMPLOYMENT AGENCY	, APPRENTICESHI	P COMMITTEE, OR STA	TE OR LOCA	065 L GOVERNMENT AGENCY WI	
NAME		10 - A-3 - 10 - 10		TEL COLLONE M		
CHAPMAN, RALPH					UMBER (Include Area Code)	
ADDRESS		1000 CONT.		(951)75		
49500 SEMINOLE DRIVE				i	DFEH USE ONLY	
CITY/STATE/ZIP		1.0	OUNTY	<del></del>		
CABAZON, CA 92230		· ·	OUNTY	i	COUNTY CODE	
NO. OF EMPLOYEES/MEMBERS (if known)	DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (month,day, and year)		RESPONDENT COD	E		
500+	09/14/2010		00	Ī		
THE PARTICULARS ARE:			08			
I allege that on about or before	_X_ termination	denial of empl	ownent	na Ma		
09/14/2010, the following	laid off	denial of promotion			denial of family or medical leave denial of pregnancy leave	
conduct occurred:	X demotion harassment	denial of transfer			denieal of equal pay	
	genetic characteristics testing	Y failure to many at the state of			denial of right to wear pants	
	constructive discharge (forced to quit)			al of pregnancy accommodation		
	impermissible non-job-related inquiry	other (specify)				
by CHAPMAN, RALPH		L	EAUTENANT			
	me of Person Job Title (supervisor/manager/pers			director/etc.)		
		disabilit medical generic	y (physical or mental) condition (cancer or chracteristic	_X_ retaliation	on for engaging in protected or requesting a protected accommodation	
State of what you ON JULY 21, 1020 I F	FILED A CHARGE OF DISCRIMINATION WITH THE DC) I WAS DEMOTED, DENIED A PROMOTION AN	other (s) E EEOC (SEE CASE ND LATER (9/14/2010 8		R MY EMPLOY	ER WAS NOTIFIED (DURING MY	

I wish to pursue this matter in court. I hereby request that the Department of Fair Employment and Housing provide a right-to-sue. I understand that if I want a federal notice of right-to-sue, I must visit the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of the DFEH "Notice of Case Closure," or within 300 days of the alleged discriminatory act, whichever is earlier.

I have not been coerced into making this request, nor do I make it based on fear of retaliation if I do not do so. I understand it is the Department of Fair Employment and Housing's policy to not process or reopen a complaint once the complaint has been closed on the basis of "Complainant Elected Court Action."

By submitting this complaint I am declaring under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge except as to matters stated on my information and belief, and as to those matters I believe it to be true.

Dated 06/24/2011

At Sun City

DATE FILED: 06/24/2011

Phyllis W. Cheng, Direct





# **DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

1055 WEST 7TH STREET, SUITE 1400, LOS ANGELES, CA 90017 (213) 439-6700 www.dfeh.ca.gov

June 24, 2011

HERBERT, MARKIST 27620 CONNIE WAY SUN CITY, CA, 92586-2301

RE: E201011S5808-08

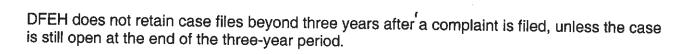
HERBERT/CHAPMAN, RALPH, AS AN INDIVIDUAL

Dear HERBERT, MARKIST:

#### NOTICE OF CASE CLOSURE

This letter informs that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective June 24, 2011 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

This letter is also the Right-To-Sue Notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.



Sincerely,

Lottie Woodruff

**District Administrator** 

- Woodig -

cc: Case File



#### **COMPLAINT OF DISCRIMINATION UNDER** THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

DFEH# E201011S5808-00

DFEH USE ONLY

	CALIFORNIA DEPARTMENT OF FA	IR EMPLOYMENT AND HOUS	ING
YOUR NAME (indicate Mr. or Ms.)			EPHONE NUMBER (INCLUDE AREA CODE)
HERBERT, MARKIST			(951)723-4040
ADDRESS			
27620 CONNIE WAY			
CITY/STATE/ZIP		COUNTY	COUNTY CODE
SUN CITY, CA 92586-2301		RIVERSIDE	065
NAMED IS THE EMPLOYER, PERSON, LAB DISCRIMINATED AGAINST ME:	OR ORGANIZATION, EMPLOYMENT AGENCY	, APPRENTICESHIP COMMITTEE, OR ST	ATE OR LOCAL GOVERNMENT AGENCY WI
NAME			TELEPHONE NUMBER (Include Area Code)
MORONGO GAMING AGEN	CY		(951)755-5636
ADDRESS			DFEH USE ONLY
49500 SEMINOLE DRIVE			Dren use only
CITY/STATE/ZIP		COUNTY	COUNTY CODE
CABAZON, CA 92230		RIVERSIDE	065
NO. OF EMPLOYEES/MEMBERS (if known)	DATE MOST RECENT OR CONTINUING DISC TOOK PLACE (month,day, and year)	RIMINATION RESPONDENT COD	
500+	09/14/2010	00	İ
THE PARTICULARS ARE:			
l allege that on about or before 09/14/2010, the following conduct occurred:	_X_ termination laid off _X_ demotion harassment genetic characteristics testing constructive discharge (forced to quit) impermissible non-job-related inquiry	denial of employment denial of promotion denial of transfer denial of accommodation X failure to prevent discrimination or retallat nother (specify)	denial of family or medical leave denial of pregnancy leave denieal of equal pay denial of right to wear pants denial of pregnancy accommodation
by MORONGO GAMING AGE	NCY		
because of :	me of Person  sex national origin/ancestry age mar/ital status religion sexual orientation race/color association	Job Title (supervisor/manager/personni disability (physical or mental) medical condition (cancer or generic chracteristic other (specify)	el director/etc.)  _X_ retaliation for engaging in protected activity or requesting a protected leave or accommodation
State of what you believe to be the reason(s) for discrimination  ON JULY 21, 1020 I VISIT WITH THE EE	FILED A CHARGE OF DISCRIMINATION WITH TH OC) I WAS DEMOTED, DENIED A PROMOTION AI	E EEOC (SEE CASE #480-2010-02532). AFTE ND LATER (9/14/2010) TERMINATED.	ER MY EMPLOYER WAS NOTIFIED (DURING A
whichever is earlier.	est that the Department of Fair Employment and Hou ion (EEOC) to file a complaint within 30 days of rece	ibrornie pech Honce of Case Closuse", o.m.	ntnin 300 days of the alleged discriminatory act,

derstand it is the Department of Fair Employment and Housing's policy to not process or reopen a complaint once the complaint has been closed on the basis of "Complainant Elected Court Action."

By submitting this complaint I am declaring under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge except as to matters stated on my information and belief, and as to those matters i believe it to be true.

Dated 06/24/2011

At Sun City

DATE FILED: 06/24/2011





#### **DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

Phyllis W. Cheng, Director

1055 WEST 7TH STREET, SUITE 1400, LOS ANGELES, CA 90017 (213) 439-6700 www.dfeh.ca.gov

June 24, 2011

HERBERT, MARKIST 27620 CONNIE WAY SUN CITY,CA,92586-2301

RE: E201011S5808-07

HERBERT/REED, NEAL, AS AN INDIVIDUAL

Dear HERBERT, MARKIST:

#### NOTICE OF CASE CLOSURE

This letter informs that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective June 24, 2011 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

This letter is also the Right-To-Sue Notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

•

DFEH does not retain case files beyond three years after a complaint is filed, unless the case is still open at the end of the three-year period.

Sincerely,

Lottie Woodruff

**District Administrator** 

cc: Case File



#### COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

DFEH#

E201011S5808-01

DFEH USE ONLY

	CALIFORNIA DEPARTMENT OF FA	AIR EMPLOYI	MENT AND HOUSIN	IG		
YOUR NAME (indicate Mr. or Ms.)					CLUDE AREA CODE)	
HERBERT, MARKIST			(951)723-404	'		
ADDRESS						
27620 CONNIE WAY	· 					
CITY/STATE/ZIP		C	COUNTY		COUNTY CODE	
SUN CITY,CA,92586-2301	l	F	RIVERSIDE		065	
NAMED IS THE EMPLOYER, PERSON, DISCRIMINATED AGAINST ME:	LABOR ORGANIZATION, EMPLOYMENT AGENCY			E OR LOCAL GOVE	RNMENT AGENCY W	
NAME			71	E ERUONE MUMBER	Manhada Assa Osala	
FERRELL, ROBERT				ELEPHONE NUMBER	,	
ADDRESS				(951)755-563		
49500 SEMINOLE DRIVE				i	DFEH USE ONLY	
CITY/STATE/ZIP			COUNTY	<del></del>	00111TV 0005	
CABAZON, CA 92230			00011	i	COUNTY CODE	
NO. OF EMPLOYEES/MEMBERS (if known)	DATE MOST RECENT OR CONTINUING DISC TOOK PLACE (month,day, and year)	CRIMINATION	RESPONDENT CODE			
500+	09/14/2010		01	i		
THE PARTICULARS ARE:						
I allege that on about or before 09/14/2010, the following conduct occurred:  by FERRELL, ROBERT	_X_ terminationlaid off _X_ demotionharassment genetic characteristics testing constructive discharge (forced to quit) impermissible non-job-related inquiry	denial of employment denial of promotion denial of transfer denial of accommodation X failure to prevent discrimination or retaliation other (specify)		denial of family or medical leave denial of pregnancy leave denieal of equal pay denial of right to wear pants denial of pregnancy accommodation		
	Name of Person		HR DIRECTOR  Job Title (supervisor/manager/personnel director/etc.)			
because of : - -	sex	disabi medic generi	ipervisor/manager/personnel i lity (physical or mental) al condition (cancer or ic chracteristic (specify)	_X_ retaliation for en	sting a protected	
State of what you ON JULY 21, 10 VISIT WITH THE reason(s) for discrimination	20 I FILED A CHARGE OF DISCRIMINATION WITH TH E EEOC) I WAS DEMOTED, DENIED A PROMOTION A	IE EEOC (SEE CAS ND LATER (9/14/20	E #480-2010-02532). AFTER 110) TERMINATED.	MY EMPLOYER WA	S NOTIFIED (DURING N	
wish to pursue this matter in court. I hereby in he U.S. Equal Employment Opportunity Com- whichever is earlier.	request that the Department of Fair Employment and Ho mission (EEOC) to file a complaint within 30 days of rece	using provide a right eipt of the DFEH "No	t-to-sue. I understand that if I to tice of Case Closure," or with	want a federal notice on the alle	of right-to-sue, I must vis aged discriminatory act,	
have not been coerced into making this requ r reopen a complaint once the complaint has	est, nor do I make it based on fear of retaliation if I do no been closed on the basis of "Complainant Elected Cour	ot do so. I understan t Action." c	d it is the Department of Fair	Employment and Hou	sing's policy to not proce	
ly submitting this complaint I am declaring natters stated on my information and belie	g under penalty of perjury under the laws of the State if, and as to those matters I believe it to be true.	e of California that	the foregoing is true and co	orrect of my own kno	owledge except as to	

Dated 06/24/2011

At Sun City

DATE FILED: 06/24/2011



Phyllis W. Cheng, Director

## **DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

1055 WEST 7TH STREET, SUITE 1400, LOS ANGELES, CA 90017 (213) 439-6700 www.dfeh.ca.gov

June 24, 2011

HERBERT, MARKIST 27620 CONNIE WAY SUN CITY, CA 92586-2301

RE: E201011S5808-00

HERBERT/MORONGO GAMING AGENCY

Dear HERBERT, MARKIST:

#### NOTICE OF CASE CLOSURE

This letter informs that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective June 24, 2011 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

This letter is also the Right-To-Sue Notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.



Sincerely,

Lottie Woodruff

District Administrator

the Wooders

cc: Case File

FERRELL ROBERT DIRECTOR OF HR MORONGO CASINO RESORT & SPA 49500 SEMINOLE DRIVE CABAZON, CA 92230



# 0

#### **DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

Phyllis W. Cheng, Director

1055 WEST 7TH STREET, SUITE 1400, LOS ANGELES, CA 90017 (213) 439-6700 www.dfeh.ca.gov

June 24, 2011

HERBERT, MARKIST 27620 CONNIE WAY SUN CITY,CA,92586-2301

RE: E201011S5808-01

HERBERT/FERRELL, ROBERT, AS AN INDIVIDUAL

Dear HERBERT, MARKIST:

#### **NOTICE OF CASE CLOSURE**

This letter informs that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective June 24, 2011 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

This letter is also the Right-To-Sue Notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.



Sincerely,

Lottie Woodruff

District Administrator

atte Wooden ...

cc: Case File

SCHULTZE JERRY EXECUTIVE DIRECTOR MCRS 49500 SEMINOLE DRIVE CABAZON, CA 92230



## **COMPLAINT OF DISCRIMINATION UNDER** THE PROVISIONS OF THE CALIFORNIA

* *	
DFEH#	E2010115

E20	10	11	<b>S5</b>	80	8-	02

DFEH USE ONLY

	CALIFORNIA DEPARTMENT OF FA	IR EMPLOYMENT AND HOUSING	
YOUR NAME (indicate Mr. or Ms.)		TELEPHONE	NUMBER (INCLUDE AREA CODE)
HERBERT, MARKIST		(95	1)723-4040
ADDRESS			
27620 CONNIE WAY			
CITY/STATE/ZIP		COUNTY	COUNTY CODE
SUN CITY,CA,92586-230		RIVERSIDE	065
NAMED IS THE EMPLOYER, PERSON, DISCRIMINATED AGAINST ME:	LABOR ORGANIZATION, EMPLOYMENT AGENCY	APPRENTICESHIP COMMITTEE, OR STATE OR	LOCAL GOVERNMENT AGENCY W
NAME		TELEPH	ONE NUMBER (Include Area Code)
REED, NEAL			1)755-5636
ADDRESS			DFEH USE ONLY
49500 SEMINOLE DRIVE			1
CITY/STATE/ZIP		COUNTY	COUNTY CODE
CABAZON, CA 92230			
NO. OF EMPLOYEES/MEMBERS (if known	n) DATE MOST RECENT OR CONTINUING DISC TOOK PLACE (month,day, and year)	RIMINATION RESPONDENT CODE	İ
500+	09/14/2010	02	!
THE PARTICULARS ARE:			
l allege that on about or before 09/14/2010 , the following conduct occurred:	.X_ termination laid off .X_ demotion harassment genetic characteristics testing constructive discharge (forced to quit) impermissible non-job-related inquiry	denial of employment denial of promotion denial of transfer denial of accommodation X failure to prevent discrimination or retaliation x retaliation other (specify)	denial of family or medical leave denial of pregnancy leave denieal of equal pay denial of right to wear pants denial of pregnancy accommodation
by REED, NEAL		LEAUTENANT	·
	Name of Person	Job Title (supervisor/manager/personnel director	r/etc.)
because of :	sexX_ national origin/encestryagemarital statusreligionsexual orientationrace/colorassociation	disability (physical or mental)X medical condition (cancer or	retaliation for engaging in protected activity or requesting a protected leave or accommodation
State of what you ON JULY 21, 1 pelieve to be the VISIT WITH THeason(s) for discrimination	020   FILED A CHARGE OF DISCRIMINATION WITH TH IE EEOC)   WAS DEMOTED, DENIED A PROMOTION A	IE EEOC (SEE CASE #480-2010-02532). AFTER MY EN ND LATER (9/14/2010) TERMINATED.	MPLOYER WAS NOTIFIED (DURING
wish to pursue this matter in court. I hereby he U.S. Equal Employment Opportunity Con whichever is earlier.	request that the Department of Fair Employment and Ho nmission (EEOC) to file a complaint within 30 days of rece	using provide a right-to-sue. I understand that if I want a aipt of the DFEH "Notice of Case Closure," or within 300	federal notice of right-to-sue, I must vi days of the alleged discriminatory act

nt has been closed on the basis of "Complainant Elected Court Action."

By submitting this complaint I am declaring under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge except as to matters stated on my information and belief, and as to those matters I believe it to be true.

Dated 06/24/2011

At Sun City

DATE FILED: 06/24/2011





#### DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

Phyllis W. Cheng, Director

1055 WEST 7TH STREET, SUITE 1400, LOS ANGELES, CA 90017 (213) 439-6700 www.dfeh.ca.gov

June 24, 2011

HERBERT, MARKIST 27620 CONNIE WAY SUN CITY,CA,92586-2301

RE: E201011S5808-02

HERBERT/REED, NEAL, AS AN INDIVIDUAL

Dear HERBERT, MARKIST:

#### **NOTICE OF CASE CLOSURE**

This letter informs that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective June 24, 2011 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

This letter is also the Right-To-Sue Notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

DFEH does not retain case files beyond three years after a complaint is filed, unless the case is still open at the end of the three-year period.

Sincerely,

Lottie Woodruff

**District Administrator** 

cc: Case File

RALPH CHAPMAN LEAUTENANT MCRS 49500 SEMINOLE DRIVE CABAZON, CA 92230



## COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

DFEH#

E201011S5808-03

DFEH USE ONLY

	CALIFORNIA DEPARTMENT OF FAI	R EMPLOYMENT AND HOUSIN	ŊĠ
YOUR NAME (indicate Mr. or Ms.)		TELE	PHONE NUMBER (INCLUDE AREA CODE)
HERBERT, MARKIST		•	(951)723-4040
ADDRESS			
27620 CONNIE WAY	•		
CITY/STATE/ZIP		COUNTY	COUNTY CODE
SUN CITY,CA,92586-2301		RIVERSIDE	065
NAMED IS THE EMPLOYER, PERSON, L DISCRIMINATED AGAINST ME:	ABOR ORGANIZATION, EMPLOYMENT AGENCY,	APPRENTICESHIP COMMITTEE, OR STA	TE OR LOCAL GOVERNMENT AGENCY W
NAME		. 1	ELEPHONE NUMBER (Include Area Code)
MERCADO, ROD			(951)755-5636
ADDRESS			DFEH USE ONLY
49500 SEMINOLE DRIVE			
CITY/STATE/ZIP		COUNTY	COUNTY CODE
CABAZON, CA 92230			
NO. OF EMPLOYEES/MEMBERS (if known)	DATE MOST RECENT OR CONTINUING DISCITOOK PLACE (month,day, and year)	RIMINATION RESPONDENT COD	E I
500+	09/14/2010	03	
THE PARTICULARS ARE:			
I allege that on about or before	X termination	denial of employment	denial of family or medical leave
09/14/2010, the following	laid off	denial of promotion	denial of pregnancy leave
conduct occurred:	X demotion Arassment	denial of transfer denial of accommodation	denieal of equal pay denial of right to wear pants
	genetic characteristics testing	X failure to prevent discrimination or retaliation	·
	constructive discharge (forced to quit)	X retaliation	
	impermissible non-job-related inquiry	other (specify)	
by MERCADO, ROD		HR MANAGER	
	Name of Person	Job Title (supervisor/manager/personne	el director/etc.)
because of :	sexX_ national origin/ancestry	disability (physical or mental)	_X_ retaliation for engaging in protected
_	age marital status	medical condition (cancer or	activity or requesting a protected
-	religion sexual orientation	generic chracteristic	leave or accommodation
-	race/color association	other (specify)	
	020 I FILED A CHARGE OF DISCRIMINATION WITH TH E EEOC) I WAS DEMOTED, DENIED A PROMOTION A		ER MY EMPLOYER WAS NOTIFIED (DURING
	request that the Department of Fair Employment and Ho nmission (EEOC) to file a complaint within 30 days of rec		
	uest, nor do I make it based on fear of retaliation if I do no s been closed on the basis of "Complainant Elected Cour		air Employment and Housing's policy to not pro-
By submitting this complaint I am declarly	ng under penalty of perjury under the laws of the Stat	te of California that the foregoing is true and	correct of my own knowledge except as to

Dated 06/24/2011

At Sun City

DATE FILED: 06/24/2011

matters stated on my information and belief, and as to those matters I believe it to be true.



0

Phyllis W. Cheng, Director



### **DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

1055 WEST 7TH STREET, SUITE 1400, LOS ANGELES, CA 90017 (213) 439-6700 www.dfeh.ca.gov

June 24, 2011

HERBERT, MARKIST 27620 CONNIE WAY SUN CITY,CA,92586-2301

RE: E201011S5808-03

HERBERT/MERCADO, ROD, AS AN INDIVIDUAL

Dear HERBERT, MARKIST:

### NOTICE OF CASE CLOSURE

This letter informs that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective June 24, 2011 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

This letter is also the Right-To-Sue Notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

If a federal notice of Right-To-Sue is wanted, the U.S. Equal Employment Opportunity Commission (EEOC) must be visited to file a complaint within 30 days of receipt of this DFEH *Notice of Case Closure* or within 300 days of the alleged discriminatory act, whichever is earlier.



DFEH does not retain case files beyond three years after a complaint is filed, unless the case is still open at the end of the three-year period.

Sincerely,

Lottie Woodruff

District Administrator

the Woody ..

cc: Case File

ROBERT FERRELL HR DIRECTOR MCRS 49500 SEMINOLE DRIVE CABAZON, CA 92230



# COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

DFEH#

E201011S5808-04

DFEH USE ONLY

	<u>CALIFORNIA DEPARTMENT OF FA</u>	IR EMPLOYMENT AND HO	OUSING
YOUR NAME (indicate Mr. or Ms.)			TELEPHONE NUMBER (INCLUDE AREA CODE)
HERBERT, MARKIST			(951)723-4040
ADDRESS		1	(00)/120 1040
27620 CONNIE WAY			
CITY/STATE/ZIP		COUNTY	COUNTY CODE
SUN CITY,CA,92586-2301		RIVERSIDE	065
NAMED IS THE EMPLOYER, PERSON, LAE DISCRIMINATED AGAINST ME:	OR ORGANIZATION, EMPLOYMENT AGENCY		PR STATE OR LOCAL GOVERNMENT AGENCY WH
NAME			TELEPHONE NUMBER (Include Area Code)
FERRELL, ROBERT			(951)755-5636
ADDRESS			DFEH USE ONLY
49500 SEMINOLE DRIVE			DEER USE ONLY
CITY/STATE/ZIP		COUNTY	COUNTY CODE
CABAZON, CA 92230			I COUNTY CODE
NO. OF EMPLOYEES/MEMBERS (if known)	DATE MOST RECENT OR CONTINUING DISC TOOK PLACE (month,day, and year)	RIMINATION RESPONDEN	T CODE
500+	09/14/2010	04	ĺ
THE PARTICULARS ARE:			
l allege that on about or before <u>09/14/2010</u> , the following conduct occurred:	termination	denial of employment denial of promotion denial of transfer denial of accommodation X failure to prevent discrimination or x retailation other (specify)	denial of family or medical leave denial of pregnancy leave deniel of equal pay denial of right to wear pants retaliation denial of pregnancy accommodation
y FERRELL, ROBERT		HR DIRECTOR	1
because of :	ame of Person  SexXnational origin/ancestry agemarital status religionsexual orientation race/colorassociation	Job Title (supervisor/manager/pe disability (physical or mental medical condition (cancer or generic chracteristic other (specify)	X retaliation for engaging in protected
State of what you  oelieve to be the eason(s) for  discrimination	FILED A CHARGE OF DISCRIMINATION WITH TH EOC) I WAS DEMOTED, DENIED A PROMOTION AI	E EEOC (SEE CASE #480-2010-02532) ND LATER (9/14/2010) TERMINATED.	). AFTER MY EMPLOYER WAS NOTIFIED (DURING MY
hichever is earlier.	sion (EEOO) to line a complaint within 30 days of rece	apt of the DFEH "Notice of Case Closure	d that if I want a federal notice of right-to-sue, I must visit o," or within 300 days of the alleged discriminatory act, and of Fair Employment and Housing's policy to not proces
. 1-1-part complaint office and complaint figs bet	nder penalty of periory under the laws of the State	Action."	

DATE FILED: 06/24/2011

Dated **06/24/2011**At **Sun City** 



### **DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

Phyllis W. Cheng, Director

1055 WEST 7TH STREET, SUITE 1400, LOS ANGELES, CA 90017 (213) 439-6700 www.dfeh.ca.gov

June 24, 2011

HERBERT, MARKIST 27620 CONNIE WAY SUN CITY,CA,92586-2301

RE: E201011S5808-04

HERBERT/FERRELL, ROBERT, AS AN INDIVIDUAL

Dear HERBERT, MARKIST:

### NOTICE OF CASE CLOSURE

This letter informs that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective June 24, 2011 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

This letter is also the Right-To-Sue Notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

If a federal notice of Right-To-Sue is wanted, the U.S. Equal Employment Opportunity Commission (EEOC) must be visited to file a complaint within 30 days of receipt of this DFEH *Notice of Case Closure* or within 300 days of the alleged discriminatory act, whichever is earlier.



DFEH does not retain case files beyond three years after a complaint is filed, unless the case is still open at the end of the three-year period.

Sincerely,

Lottie Woodruff

District Administrator

atte Wooden ...

cc: Case File

ROBERT FERRELL HR DIRECTOR MCRS 49500 SEMINOLE DRIVE CABAZON, CA 92230



### COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

DFEH#

E201011S5808-06

DFEH USE ONLY

SUN CITY, CA,92586-2301  NAMED IS THE EMPLOYER, PERSON, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, OR STATE OR LOCAL GOVERNMENT AGENCY DISCRIMINATED AGAINST ME:  NAME  SCHULTZE, JERREY  ADDRESS  49500 SEMINOLE DRIVE  CITY/STATE/ZIP  COUNTY  CABAZON, CA 92230  NO. OF EMPLOYEES/MEMBERS (if known)  DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (month,day, and year)  DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (month,day, and year)  TOOK PLACE (month,day, and year)  Jallege that on about or before  L termination  Mental of family or medical leave	TAIR EMPEOTMENT AND P	1003ING ACT		_	
YOUR NAME (Indicate Mr. or Ms.)  HERBERT, MARKIST  ADDRESS  27620 CONNIE WAY  CITY/STATE/ZIP  SUN CITY, CA,92586-2301  NAMED IS THE EMPLOYER, PERSON, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, OR STATE OR LOCAL GOVERNMENT AGENCY DISCRIMINATED AGAINST ME:  NAME  SCHULTZE, JERREY  ADDRESS  ADDRESS  ADDRESS  ADDRESS  CITY/STATE/ZIP  COUNTY  ODE  CABAZON, CA 92230  NO. OF EMPLOYEES/MEMBERS (If known)  DATE MOST RECENT OR CONTINUING DISCRIMINATION , RESPONDENT CODE TOOK PLACE (month,day, and year)  TOOK PLACE (month,day, and year)  THE PARTICULARS ARE:  I allege that on about or before  X. lemination  denial of family or medical leave		CALIFORNIA DEPARTMENT OF FA	IR EMPLOYM	ENT AND HOUSING	G
ADDRESS  27620 CONNIE WAY  CITY/STATE/ZIP COUNTY CO	YOUR NAME (indicate Mr. or Ms.)				
CITY/STATE/ZIP SUN CITY,CA,92586-2301 RIVERSIDE O65  NAMED IS THE EMPLOYER, PERSON, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, OR STATE OR LOCAL GOVERNMENT AGENCY  NAME TELEPHONE NUMBER (Include Area Cod SCHULTZE, JERREY OFFINANCE SCHULTZE, JERREY OFFINANCE CITY/STATE/ZIP COUNTY COUNTY COUNTY CABAZON, CA 92230  NO. OF EMPLOYEES/MEMBERS (if known) DATE MOST RECENT OR CONTINUING DISCRIMINATION (RESPONDENT CODE TOOK PLACE (month,day, and year))  TOOK PLACE (month,day, and year)  THE PARTICULARS ARE: I allege that on about or before  **Lemination** Lemination**  Lemination** COUNTY COUNTY COUNTY CODE  **COUNTY OFFINANCE CODE (Month,day, and year)  **Lemination**  **Lemination** COUNTY OFFINANCE CODE (Month,day, and year)  **Lemination** **Lemination**  *				***	(951)723-4040
CITY/STATE/ZIP  SUN CITY,CA,92586-2301  RIVERSIDE  O65  NAME OF STATE OR LOCAL GOVERNMENT AGENCY, APPRENTICESHIP COMMITTEE, OR STATE OR LOCAL GOVERNMENT AGENCY  NAME TELEPHONE NUMBER (Include Area Cod  SCHULTZE, JERREY  ADDRESS  49500 SEMINOLE DRIVE  CITY/STATE/ZIP  COUNTY  CABAZON, CA 92230  NO. OF EMPLOYEES/MEMBERS (If known)  DATE MOST RECENT OR CONTINUING DISCRIMINATION ( TOOK PLACE (month,day, and year)  TOOK PLACE (month,day, and year)  THE PARTICULARS ARE:  I allege that on about or before  L termination denial of family or medical leave					
SUN CITY,CA,92586-2301  NAMED IS THE EMPLOYER, PERSON, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, OR STATE OR LOCAL GOVERNMENT AGENCY DISCRIMINATED AGAINST ME:  NAME  TELEPHONE NUMBER (Include Area Cod SCHULTZE, JERREY  ADDRESS  49500 SEMINOLE DRIVE  CITY/STATE/ZIP  COUNTY  CABAZON, CA 92230  NO. OF EMPLOYEES/MEMBERS (If known)  DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (month,day, and year)  TOOK PLACE (month,day, and year)  TOOK PLACE (month,day, and year)  THE PARTICULARS ARE:  I allege that on about or before  X_ termination  Lenial of family or medical leave	27620 CONNIE WAY				
NAME  TELEPHONE NUMBER (Include Area Cod SCHULTZE, JERREY  ADDRESS  49500 SEMINOLE DRIVE  CITY/STATE/ZIP  COUNTY  CABAZON, CA 92230  NO. OF EMPLOYEES/MEMBERS (if known)  DATE MOST RECENT OR CONTINUING DISCRIMINATION , RESPONDENT CODE TOOK PLACE (month,day, and year)  THE PARTICULARS ARE:  I allege that on about or before  **Lephone NUMBER (Include Area Cod (951)755-5636  DFEH USE ONLY  COUNTY  COUNTY  COUNTY CODE  RESPONDENT CODE  denial of family or medical leave			CO	UNTY	COUNTY CODE
NAME  SCHULTZE, JERREY  ADDRESS  49500 SEMINOLE DRIVE  CITY/STATE/ZIP  CABAZON, CA 92230  NO. OF EMPLOYEES/MEMBERS (if known)  DATE MOST RECENT OR CONTINUING DISCRIMINATION (RESPONDENT CODE TOOK PLACE (month,day, and year))  THE PARTICULARS ARE:  I allege that on about or before  L termination denial of employment denial of family or medical leave	<del></del>				
SCHULTZE, JERREY  ADDRESS  49500 SEMINOLE DRIVE  CITY/STATE/ZIP  CABAZON, CA 92230  NO. OF EMPLOYEES/MEMBERS (if known)  DATE MOST RECENT OR CONTINUING DISCRIMINATION RESPONDENT CODE TOOK PLACE (month,day, and year)  TOOK PLACE (month,day, and year)  THE PARTICULARS ARE:  I allege that on about or before  L termination denial of employment denial of family or medical leave	NAMED IS THE EMPLOYER, PERSON, LA DISCRIMINATED AGAINST ME:	BOR ORGANIZATION, EMPLOYMENT AGENCY,	APPRENTICESHIP	COMMITTEE, OR STATE	OR LOCAL GOVERNMENT AGENCY WH
SCHULTZE, JERREY  ADDRESS  49500 SEMINOLE DRIVE  CITY/STATE/ZIP  CABAZON, CA 92230  NO. OF EMPLOYEES/MEMBERS (if known)  DATE MOST RECENT OR CONTINUING DISCRIMINATION RESPONDENT CODE TOOK PLACE (month,day, and year)  500+  09/14/2010  THE PARTICULARS ARE:  I allege that on about or before  L termination    4951)755-5636     COUNTY   COUNTY CODE	NAME			TEI	EPHONE NUMBER (Include Area Code)
ADDRESS  49500 SEMINOLE DRIVE  CITY/STATE/ZIP  COUNTY  COUNTY  COUNTY CODE  CABAZON, CA 92230  NO. OF EMPLOYEES/MEMBERS (if known)  DATE MOST RECENT OR CONTINUING DISCRIMINATION RESPONDENT CODE TOOK PLACE (month,day, and year)  TOOK PLACE (month,day, and year)  THE PARTICULARS ARE:  I allege that on about or before  X_termination  DEFH USE ONLY  COUNTY  COUNTY  COUNTY  COUNTY CODE  TOOK PLACE (month,day, and year)  Adenial of family or medical leave	SCHULTZE, JERREY				
49500 SEMINOLE DRIVE  CITY/STATE/ZIP  CABAZON, CA 92230  NO. OF EMPLOYEES/MEMBERS (if known)  DATE MOST RECENT OR CONTINUING DISCRIMINATION RESPONDENT CODE TOOK PLACE (month,day, and year)  500+  09/14/2010  THE PARTICULARS ARE:  I allege that on about or before  L termination denial of employment denial of family or medical leave	ADDRESS			<u> </u>	
CABAZON, CA 92230  NO. OF EMPLOYEES/MEMBERS (if known)  DATE MOST RECENT OR CONTINUING DISCRIMINATION RESPONDENT CODE TOOK PLACE (month,day, and year)  500+  09/14/2010  THE PARTICULARS ARE:  I allege that on about or before  X_termination  denial of employment  denial of family or medical leave	49500 SEMINOLE DRIVE				!
CABAZON, CA 92230  NO. OF EMPLOYEES/MEMBERS (if known) DATE MOST RECENT OR CONTINUING DISCRIMINATION RESPONDENT CODE TOOK PLACE (month,day, and year)  500+ 09/14/2010 06  THE PARTICULARS ARE: I allege that on about or before  X_termination denial of employment denial of family or medical leave	CITY/STATE/ZIP		CC	OUNTY	COUNTY CODE
TOOK PLACE (month,day, and year)  500+  09/14/2010  THE PARTICULARS ARE:  1 allege that on about or before  X_termination  denial of employment  denial of family or medical leave	CABAZON, CA 92230				!
THE PARTICULARS ARE:  I allege that on about or before X_terminationdenial of employmentdenial of family or medical leave	NO. OF EMPLOYEES/MEMBERS (if known)		RIMINATION	RESPONDENT CODE	
I allege that on about or before X terminationdenial of employment denial of family or medical leave	500+	09/14/2010		06	ļ.
	THE PARTICULARS ARE:			<u> </u>	
conduct occurred:	<u>09/14/2010</u> , the following	laid offXdemotionharassmentgenetic characteristics testingconstructive discharge (forced to quit)	denial of prome denial of transfunction denial of account failure to preve	otion fer enmodation ent discrimination or retaliation	denial of pregnancy leave denies of equal pay
by SCHULTZE, JERREY EXECUTIVE DIRECTOR	by SCHULTZE, JERREY		E	XECUTIVE DIRECT	OR
Name of Person Job Title (supervisor/manager/personnel director/etc.)	b	Vame of Person	Job Title (sup	ervisor/manager/personnel d	irector/etc.)
because of :		age marital status sexual orientation	disability medical generic	y (physical or mental) condition (cancer or chracteristic	X retaliation for engaging in protected activity or requesting a protected
State of what you believe to be the reason(s) for discrimination  ON JULY 21, 1020 I FILED A CHARGE OF DISCRIMINATION WITH THE EEOC (SEE CASE #480-2010-02532). AFTER MY EMPLOYER WAS NOTIFIED (DUR reason(s) for discrimination	believe to be the VISIT WITH THE E	) I FILED A CHARGE OF DISCRIMINATION WITH THE EEOC) I WAS DEMOTED, DENIED A PROMOTION AN	E EEOC (SEE CASE ND LATER (9/14/2010	#480-2010-02532). AFTER ( 0) TERMINATED.	MY EMPLOYER WAS NOTIFIED (DURING MY
wish to pursue this matter in court. I hereby request that the Department of Fair Employment and Housing provide a right-to-sue. I understand that if I want a federal notice of right-to-sue, I much be U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of the DFEH "Notice of Case Closure," or within 300 days of the alleged discriminatory whichever is earlier.	no o.o. Equal Employment opportunity commit	quest that the Department of Fair Employment and Hou ission (EEOC) to file a complaint within 30 days of rece	ising provide a right-ti ipt of the DFEH "Noti	o-sue. I understand that if I wice of Case Closure," or withi	rant a federal notice of right-to-sue, I must visit n 300 days of the alleged discriminatory act,
have not been coerced into making this request, nor do I make it based on fear of retaliation if I do not do so. I understand it is the Department of Fair Employment and Housing's policy to not or reopen a complaint once the complaint has been closed on the basis of "Complainant Elected Court Action."	have not been coerced into making this reques r reopen a complaint once the complaint has b	st, nor do I make it based on fear of retaliation if I do no een closed on the basis of "Complainant Elected Court	t do so. I understand Action."	it is the Department of Fair E	imployment and Housing's policy to not process
By submitting this complaint I am declaring under penalty of perjury under the laws of the State of California that the foregoing is true and correct of my own knowledge except as natters stated on my information and belief, and as to those matters I believe it to be true.	y submitting this complaint I am declaring the nation and belief, and belief,	under penalty of perjury under the laws of the State and as to those matters I believe it to be true.	of California that th	he foregoing is true and co	rrect of my own knowledge except as to

Dated 06/24/2011

At Sun City

DATE FILED: 06/24/2011

Phyllis W. Cheng, Director





### DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

1055 WEST 7TH STREET, SUITE 1400, LOS ANGELES, CA 90017 (213) 439-6700 www.dfeh.ca.gov

June 24, 2011

HERBERT, MARKIST 27620 CONNIE WAY SUN CITY,CA,92586-2301

RE: E201011S5808-06

HERBERT/SCHULTZE, JERREY, AS AN INDIVIDUAL

Dear HERBERT, MARKIST:

### NOTICE OF CASE CLOSURE

This letter informs that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective June 24, 2011 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

This letter is also the Right-To-Sue Notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

If a federal notice of Right-To-Sue is wanted, the U.S. Equal Employment Opportunity Commission (EEOC) must be visited to file a complaint within 30 days of receipt of this DFEH *Notice of Case Closure* or within 300 days of the alleged discriminatory act, whichever is earlier.

is still open at the end of the three-year period.

DFEH does not retain case files beyond three years after a complaint is filed, unless the case

Sincerely,

Lottie Woodruff

**District Administrator** 

cc: Case File

ROBERT FERRELL HR DIRECTOR MCRS 49500 SEMINOLE DRIVE CABAZON, CA 92230



### FR SERVICES AGENCY

### **DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

Phyllis W. Cheng, Directo

1055 WEST 7TH STREET, SUITE 1400, LOS ANGELES, CA 90017 (213) 439-6700 www.dfeh.ca.gov

June 24, 2011

HERBERT, MARKIST 27620 CONNIE WAY SUN CITY,CA,92586-2301

RE: E201011S5808-05

HERBERT/FERRELL, ROBERT, AS AN INDIVIDUAL

Dear HERBERT, MARKIST:

### NOTICE OF CASE CLOSURE

This letter informs that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective June 24, 2011 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

This letter is also the Right-To-Sue Notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

If a federal notice of Right-To-Sue is wanted, the U.S. Equal Employment Opportunity Commission (EEOC) must be visited to file a complaint within 30 days of receipt of this DFEH *Notice of Case Closure* or within 300 days of the alleged discriminatory act, whichever is earlier.



DFEH does not retain case files beyond three years after a complaint is filed, unless the case is still open at the end of the three-year period.

Sincerely,

Lottie Woodruff

**District Administrator** 

to Woody)

cc: Case File

ROBERT FERRELL HR DIRECTOR MCRS 49500 SEMINOLE DRIVE CABAZON, CA 92230

#### DEPARTMENT OF FAIR EN COLOYMENT & HOUSING

(SEE ADDRESS CHECKED BELOW)

2000 "O" Street, Suite 120

1350 Front Street, Suite 1063

San Francisco District Office

1615 Clay Street, Suite 701

2570 North First Street, Suite 480

Oakland, CA 94612 (510) 622-2973

San Jose, CA 95131

Santa Ana, CA 92705 (714) 558-4266

(408) 325-0344

San Diego, CA 92101 (619) 645-2681

Sacramento, CA 95811 (916) 445-5523

TTY # (800) 700-2320 4800 Stockdale Hwy., Suite 215 Bakersfield, CA 93309 EEOC Number: Robert Ferrell (661) 395-2729 Director of Human Resources 480-2010-02558 Case Name: Morongo Casino 12700 Pumarra Road Rudy R. Reyes 1320 E. Shaw Avenue, Suite 150 Fresno, CA 93710 Baning, CA 92220 Date: 8/2/2010 (559) 244-4760 NOTICE TO COMPLAINANT AND RESPONDENT

This is to advise you that the above-referenced complaint is being referred to 1055 West Seventh Street, Suite 1400 the California Department of Fair Employment and Housing (DFEH) by the U.S. R/S Los Angeles, CA 90017 Equal Employment Opportunity Commission (EEOC). The complaint will be filed (213) 439-6799 in accordance with California Government Code section 12960. This notice constitutes service pursuant to Government Code section 12962. 1515 Clay Street, Suite 701 Oakland, CA 94612 (510) 622-2941

### No response to the DFEH is required by the respondent.

The EEOC will be responsible for the processing of this complaint. DFEH will not be conducting an investigation into this matter. EEOC should be contacted directly for any discussion of the charge. DFEH is closing its case on the basis of "processing waived to another agency."

### NOTICE TO COMPLAINANT OF RIGHT-TO-SUE

Since DFEH will not be issuing an accusation, this letter is also your right-to-sue notice. According to Government Code section 12965, subdivision (b), you may bring a civil action under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The lawsuit may be filed in a State of California Superior Court. Government Code section 12965, subdivision (b), provides that such a civil action must be brought within one year from the date of this notice. Pursuant to Government Code section 12965, subdivision (d)(1), this one-year period will be tolled during the pendency of the EEOC's investigation of your complaint. You should consult an attorney to determine with accuracy the date by which a civil action must be 2101 East Fourth Street, Suite 255-B filed. This right to file a civil action may be waived in the event a settlement agreement is signed. Questions about the right to file under federal law should be referred to the EEOC.

> The DFEH does not retain case records beyond three years after a complaint is filed.

Remember: This Right-To-Sue Notice allows you to file a private lawsuit in State court.

Sincerely,

JENNIFER L. HARLAN Deputy Director, Employment

CHARGE OF DISCRIMINATION	3941025		21	3-894	1-1400	£ f
CHARGE OF DISCRIMINATION	Charc	e Preser			es) Charge N	
This form is affected by the Privacy Act of 1974. See enclosed Privacy A		FEPA		.90,10) (1	oo, onarge M	J(3).
Statement and other information before completing this form.		╡		IARD	)-2010-02558	-,
California Department Of		IJ ·	-	7,00		<u> </u>
State or loc	cal Agency, if any	iii ot n	ousing		and EE	OC
Name (Indicate Mr., Ms., Mrs.)		Home	Phone (Incl. Area	Code)	Date of Birth	1
Mr. Rudy R. Reyes		(9	51) 294-832	4.	07-23-19	49
2369 Mimosa Avenue, Hemet, CA	, State and ZIP Code			_		
Named is the Employer, Labor Organization, Employment Agency, Apprent Discriminated Against Me or Others. (If more than two, list under PARTICE Name	ticeship Committee, or JLARS below.)					
MORONGO CASINO (MULTIMEDIA GAMES)			ployees, Members  Or More		lo. (Include Area ( 11) 755-534	
	State and ZIP Code					
49020 Seminole Dr., Cabazon, CA 92230			RE(	CEI	VED	1
Name		No. Er	ployees, Members		lo. (Include Area (	Cate)
Street Address City,	State and ZIP Code			<u> </u>		+-
				OC/LAC	_	
DISCRIMINATION BASED ON (Check appropriate box(es).)			DATE(S) DISCR	MINATION	TOOK PLACE	<del>-</del>
RACE COLOR SEX RELIGION	NATIONAL ORI	GIN	Earliest 07-29-20	10	Latest <b>08-02-20</b> °	10
RETALIATION X AGE DISABILITY  OTHER (Specify)	GENETIC INFORMAT	TON	X	ONTINUI	NG ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):				<del></del>		
I began my employment with the Morongo position with the company is as a security been demoted from the X-Ray Unit and resubjected to different terms and conditions transferred from the night shift to the day s	officer. On or ab assigned as a re of emplovment	out July gular s	/ 29, 2010, I ecurity office	obsen	ved I have	
II. I have not been provided with a reason as	to why I have be	en den	noted and tr	ansferr	ed.	
III. I believe I have been discriminated against Discrimination in Employment Act of 1967,	t due to my age as amended.	(61), in	violation of	the Age	9	
want this charge filed with both the EEOC and the State or local Agency, if any. will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.	I	necessary	for State and Loca	ni Agency F	Requirements	
declare under penalty of perjury that the above is true and correct.	I swear or affim the best of my I SIGNATURE OF	knowledge	ve read the above, information and NANT	re charge d belief.	and that it is tru	ie to
Aug 02, 2010	SUBSCRIBED AI (month, day, year	ND SWORM )	TO BEFORE ME	THIS DAT	E	
Date Charging Party Signature						

### DEPARTMENT OF FAIR ENLOYMENT & HOUSING (SEE ADDRESS CHECKED BELOW)

TTY # (800) 700-2320

	1000 0		
Н	4800 Stockdale Hwy., Suite 215 Bakersfield, CA 93309 (661) 395-2729	Human Resources Director	EEOC Number: 480-2010-02529
		Morongo Casino	Case <u>Nam</u> e:
	1320 E. Shaw Avenue, Suite 150	49500 Seminole Dr.	George W. Robinson, Jr
c	Fresno, CA 93710 (559) 244-4760	Cabazon, CA 92230	Date: 7/21/2010
			PLAINANT AND RESPONDENT
R/S	1055 West Seventh Street, Suite 1400 Los Angeles, CA 90017 (213) 439-6799	Equal Employment Opportunity Comin accordance with California Govern	e-referenced complaint is being referred to imployment and Housing (DFEH) by the U.S. immission (EEOC). The complaint will be filed inment Code section 12960. This notice
M	1515 Clay Street, Suite 701 Oakland, CA 94612	constitutes service pursuant to Gove	ernment Code section 12960. This notice ernment Code section 12962.
	(510) 822-2941	No response to the DFEH is required	by the respondent.
Ē	2000 "O" Street, Suite 120 Sacramento, CA 95811 (916) 445-5523	The EEOC will be responsible for the not be conducting an investigation in directly for any discussion of the chaof "processing waived to another ag	e processing of this complaint. DFEH will nto this matter. EEOC should be contacted arge. DFEH is closing its case on the basis ency."
D	1350 Front Street, Suite 1063 San Diego, CA 92101 (619) 645-2681		LAINANT OF RIGHT-TO-SUE
Ā	San Francisco District Office 1515 Clay Street, Suite 701 Oakland, CA 94612 (510) 622-2973	may bring a civil action under the pro	loyer, labor organization or employment
G	2570 North First Street, Suite 480 San Jose, CA 95131 (408) 325-0344	subdivision (b), provides that such a great from the date of this notice. Put 12965, subdivision (d)(1), this one-ye pendency of the EEOC's investigation	civil action must be brought within one rsuant to Government Code section ear period will be tolled during the
<	2101 East Fourth Street, Suite 255-E Santa Ana, CA 92705 (714) 558-4266	filed. This right to file a civil action of	the date by which a civil action must be nay be waived in the event a settlement the right to file under federal law should
		The DFEH does not retain case record filed.	s beyond three years after a complaint is
		Remember: This Right-To-Sue Notice State court.	allows you to file a private lawsuit in

Sincerely,

JÉNNIFER L. HARLAN Deputy Director, Employment

FEOC Form & (14 top)				
EEOC Form 5 (11/09)	OF OF Discourse	·		
	GE OF DISCRIMINATION	Charg	e Presented To:	Agency(ies) Charge No(s)
Statement and	by the Privacy Act of 1974. See enclosed Privacy of other information before completing this form.	Act	FEPA	
		X	EEOC	480-2010-02529
-N	California Department O	f Fair Employme	nt & Housing	and EEOC
Name (indicate Mr., Ms., Mrs.)	· · · · · · · · · · · · · · · · · · ·	cal Agency, if any	Home Phone (Incl. Area	
Mr. George W. Robin	nson, Jr.		(760) 202-00	
Street Address	Cit	y, State and ZIP Code	(100) 202-00	82 09-24-1950
16 Via Elegante, Ran	ncho Mirage, CA 92270			
Named is the Employer, Labor Discriminated Against Me or C	r Organization, Employment Agency, Apprer Others. ( <i>If more than two, list under PARTIC</i>	ticeship Committee, or	State or Local Governme	ent Agency That   Believe
Name	William Control and two, list under PARTIC	ULARS below.)		
MORONGO CASINO			No. Employees, Members 500 or More	Phone No. (Include Area Code)
Street Address	City	, State and ZIP Code	300 OI MOTE	(800) 252-4499
49500 Seminole Dr.,	Cabazon, <del>CA-92230</del>	Than Cratical de Parces (1999)		
	RECEIV			
Name			No. Employees, Members	Phone No. (Include Area Code)
Street Address	JUL <b>2 1</b> 2010			Í
Outet Address	City EEOC/LADO	State and ZIP Code		<u></u>
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RACE COLO	Be Clery Clery		Earliest	IMINATION TOOK PLACE Latest
X RETALIATION		NATIONAL ORIGI	07-21-20	07-21-2010
OTHER (Sp	AGE DISABILITY	GENETIC INFORMATION	—	
	onal paper is needed, attach extra sheet(s)):		X_c	CONTINUING ACTION
I have been working	g for Morongo Casino since ab	out 11/22/09 to	the present as Di	monton of Constal
Obergroup & Section	ity training. I report to Mr. 16	rome Schultze	Evecutive Direct	· οπ. Cl
or my omproyment a	wid commingly mrough the nre	sent I have been	n subjected to be	
arrierent terms & co	multions of employment by M	r. Schultze whic	h included but is	n mod limita at 4
being carred vargar I	names, stander and character d	letamation failu	re to cooperate a	nd to married.
with me.	for me to do my job, making	threats to other e	employees who v	vould associate
	•			
I complained about t	the hostile work environment	o HR on 6/22/10	and I was im.	
administrative leave.	. No reason was provided for	the hostile work	o and I was imme environment	ediately placed on
I believe that I was s	ubjected to a hostile work env	ironment in reta	liation, which is	in violation of
TIME VII OF THE CIVIL	Rights Act of 1964, as amend	led. `	•	
ini anvise nia shalicias II i Cusuda	ne EEOC and the State or local Agency, if any.		ecessary for State and Loca	l Agency Requirements
coperate fully with them in the pro- rocedures.	ocessing of my charge in accordance with their			
declare under penalty of perjury	y that the apove is true and correct.	swear or affirm t the best of my kn	hat I have read the above owledge, information and	e charge and that it is true to
(	1 <b>1</b> / <b>//</b>	SIGNATURE OF CO	OMPLAINANT	
//	' N//1 ·			
Jul 21, 2010		SUBSCRIBED AND (month, day, year)	SWORN TO BEFORE ME	THIS DATE
Date	Charging Party Signature			,

EEOC Ferm 6 (11/08)					
CHARGE OF DISCRIMINATION	Charge	Presenti	ed To:	Agenov	(ies) Charge No(s):
This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		FEPA	•••		(,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Committee of the supering the sum of the sum	X	EEOC		48	0-2010-02529
California Department Of Fair i	Employmer	nt & Ho	using		and EEOC
Name (indicate Mr., Ms., Mrs.)	y, Keny		4-4		****
Mr. George W. Robinson, Jr.			none (incl. Area ( D) 202-008	- 1	Date of Birth 09-24-1950
Street Address City, State an	nd ZIP Code	1.0	<del>5/ 502 000</del>		00-24-1809
16 Via Elegante, Rancho Mirage, CA 92270		•			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Discriminated Against Me or Others. (If more than two, list under PARTICULARS I	Committee, or E telow.)	State or Lo	oal Governmen	nt Agenc	y That I Believe
MORONGO CASINO			yeas, Mambers		No. (Include Area Code)
ST-AA-P	1	500 (	or More	(8	00) 252-4499
49500 Seminole Dr., Cabazon, CA 92230	d ZIP Code				
Name ,		No. Emple	RE	CE	IVED"
Street Address City, State an	d ZIP Code			AUG 0	2 2010
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RAGE COLOR SEX RELIGION			Earlingt	INT	AKE Lpleat
	NATIONAL ORIGI		07-21-20	10	07-29-2010
AGE DISABILITY GENE	TIC INFORMATIC	N	X	chartiali is	NG ACTION
THE PARTICULARS ARE (if additional paper is needed, attach extre sheet(a)): AMENDED CHARGE					NS ACTION
I have been working for Morongo Casino since about 11/22/ Operations & Security Training. I report to Mr. Jerome Schu employment and continuing through the present, I have bee conditions of employment by Mr. Schultze which included, be slander and character defamation, failure to cooperate and job, making threats to other employees who would associate of Mission Indians by Mr. Ferrell, Robert on 07/29/2010 in	ultze, Execu en subjected out is not lim to provide n a with me.	itive Diri I to hars lited to: lecessa: I was di	ector. Sind Issment ar being calle ry assistan Ischarged	ce the ed diffe ed vulg ice for	start of my crent terms & jar names, me to do my
I complained about the hostile work environment to HR on 6 administrative leave. No reason was provided for the hostile received a letter from Mr. Ferrell that I was being discharged.	e work envir	ronmeni	t. On or at	out 0	d on 7/29/2010
I believe that I was subjected to a hostile work environment the Civil Rights Act of 1964, as amended.					
will advise the egencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their	IOTARY - When I				
I declare under penalty of perjury that the allove is true and correct.	aweer of affirm to best of my kn KGNATURE OF C	owledge, i	nformation and		and that it is true to
Aug 02, 2010	UBSCRIBED AND north, day, yeer)	SWORN T	O BEFORE ME	THI <b>S</b> DAT	ΓE
Date Charging Party Signature					

10 3949

TTY # (800) 700-2320

### ARTMENT OF FAIR EMPLOYMENT & HOUSING

EE ADDRESS CHECKED BELOW)



H	4500 Stockdale Hwy., Suite 218 Bakersfield, CA 93209 (661) 395-2729	Ms. Donna Sheppard Human Resources Director Morongo Casino	EEOC Number: 480-2010-02529
C	1320 E. Shaw Averus, Suite 150 Fresno, CA 93710 (559) 244-4760	49500 Seminole Dr. Cabazon, CA 92230	Case Name: George W. Robinson, Jr Date: 7/21/2010
		MOTICE TO COM	IPLAINANT AND RESPONDENT
R/S	1055 West Seventh Street, Suite 1400 Los Angeles, CA 90017 (213) 428-6799	Equal Employment Opportunity Co in accordance with California Gove	ve-referenced complaint is being referred to Employment and Housing (DFEH) by the U.S. Emmission (EEOC). The complaint will be filed enment Code section 12960. This notice
	1515 Clay Street, Suite 701 Oakland, CA 94612	constitutes service pursuant to Go	vernment Code section 12962.
M	(510) 622-2941	No response to the DFEH is require	ed by the respondent.
	2000 *0" Street, Suite 120 Secremente, CA 95811 (918) 445-5523	THAT TO COLIDERCHUS BU INVESTIGATION	he processing of this complaint. DFEH will into this matter. EEOC should be contacted harge. DFEH is closing its case on the basis agency."
	1350 Pront Street, Suite 1063 Sen Diego, CA 92101 (619) 645-2681	NOTICE TO COM	PLAINANT OF RIGHT-TO-SUE
$\Box$	San Francisco Dispict Office 1615 Clay Street, Suite 701 Ostland, CA 94612 (610) 622-2973	may bring a civil action under the p Housing Act against the person, an	accusation, this letter is also your right-to-sue Code section 12965, subdivision (b), you provisions of the Fair Employment and imployer, labor organization or employment cod complaint. The lawsuit may be filed in a
G	2570 North First Street, Suite 480 San Jose, CA 96131 (408) 325-0344	year from the date of this notice. § 12965, subdivision (d)(1), this one-pendency of the EEOC's investigation	a civil action must be brought within one Pursuant to Government Code section year period will be tolled during the
K	2101 East Fourth Street, Suite 255- Sante Are, CA 92708 (714) 558-4286	filed. This right to file a civil action	y the date by which a civil action must be may be waived in the event a settlement out the right to file under federal law should
	ž.	The DFEH does not retain case recofiled.	ords beyond three years after a complaint is
		Remember: This Right-To-Sue Notice	ce allows you to file a private lawsuit in

Sincerely,

State court.

JÉNNIFER L. HARLAN Deputy Director, Employment



### COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

DFEH#

E201112E5026-00

DIFEH USE ONLY

YOUR MILE (minute	eMcarille)		IT OF FAIR EMPLOYME				
	t, GEORGE			TELEPHONE NUMBER (NICLUDE ANEA CODE)			
ADDRESS					(768)573-125		
5 LAKE CO	MO COURT						
CHYSIATUR		<u> </u>					
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	CASINO RESOR	TAND SPA			TELEPHONE MIMBER (Include Area Code)		
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vance is present the matter in count. I havely request that the Department of Fair Englishment and Harcing provide a right to sace, I understand that it I must a texture of right to sace, I must will be ES. Equal Englishment Opportunity Commission (ESEC) to the a complaint within 30 days of receipt of the IEEE Thirties of Case Chemis," or within 300 days of the adopted discriminatory act.

Have not been connected in making this request, and the Landon Elected on four of sustaining a life on Landonstand is the Department of First Employment and Haveing's policy in the process of complete four four first of Charles Charles Charles Charles for the Department of First Employment and Haveing's policy in the process of the Charles Charles Charles Charles Charles for the Department of First Employment and Haveing's policy in the process of the Charles Charle

By submilling this complaint is an declaring under penalty of perjary under the base of the State of Collins in that the foregoing is true and convect of my constructing except as in mallers shalled on my information and belief, and as to three mallers it in the true.

Detect \$271572911

At Rancho Misage, California

DATE FRED: \$7715/2011

DESIGNATION OF THE PERSONNEL AND REASONS

STATE OF CALFORNIA

### \*\*\* EMPLOYMENT \*\*\*

COMPLAINT OF DISCRIMINATION UNDER THE PROVISIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT

DFEH#	E201112E5026-00
	DEEH LISE ONLY

State of what you believe to be the reason(s) for discrimination I TOOK A POSITION AS DIRECTOR OF TRAINING AND SPECIAL OPERATIONS FOR THE SECURITY DEPARTMENT IN THE MORONGO CASINO. FOR A PERIOD OF EIGHT MONTHS I WAS HARASSED BY JEROME SCHULTZE AND ONE OF HIS SUPERVISORS, RALPH CHAPMAN, WHO I FOUND TO BE ENGAGED IN CRIMINAL ACTIVITY. WHEN I WENT TO MR. FARRELL FOR ASSISTANCE HE SUSPENDED ME. I WENT TO THE EEOC AND WHEN MR. SCHULTZE FOUND OUT, HE AND MR. FARRELL TERMINATED ME FOR "EMPLOYEE CONDUCT." A NUMBER OF OTHER OFFICERS WHO CAME FORWARD TO COMPLAIN WERE

THREE MEMBERS ON THE TRIBAL COUNCIL, ALL NATIVE AMERICA, MAURICE LYONS, CHARLES MARTIN AND DAMON SANDOVAL MADE THE DECISION TO TERMINATE ME, I BELIEVE BECAUSE OF ME BEING WHITE BECAUSE I DID NOTHING TO BE TERMINATED FOR. ALSO MR. CHATMAN AND MR. FARRELL ARE BLACK AND THEY APPEARED TO ME TO NOT LIKE ME BECAUSE I AM WHITE.

MR. SCHULTZE RESENTED THAT I CAME IN TO MY POSITION AND STARTED BUILDING A TRAINING PROGRAM AND THAT OFFICERS WERE EXCITED ABOUT IT. I ALSO TREATED OFFICERS WITH RESPECT AND I WAS TOLD BY MR. SCHULTZE THAT I NEED TO BE A HARD ASS WITH THESE GLYS THAT THEY DID NOT KNOW HOW TO ACT. I REFUSED TO DO THAT, NOT MY MANAGEMENT STYLE. HE MADE THINGS VERY DIFFICULT FOR ME TO DO MY JOB.





### **DEPARTMENT OF FAIR EMPLOYMENT & HOUSING**

2218 KAUSEN DRIVE, SUITE 100, ELK GROVE, CA 95758 (916) 445 5523 www.dfeh.ca.gov

July 15, 2011

ROBINSON, GEORGE 5 LAKE COMO COURT RANCHO MIRAGE, CA 92270

RE: E201112E5026-00

ROBINSON/MORONGO CASINO RESORT AND SPA

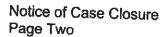
Dear ROBINSON, GEORGE:

### NOTICE OF CASE CLOSURE

This letter informs that the above-referenced complaint that was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective July 15, 2011 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

This letter is also the Right-To-Sue Notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

If a federal notice of Right-To-Sue is wanted, the U.S. Equal Employment Opportunity Commission (EEOC) must be visited to file a complaint within 30 days of receipt of this DFEH *Notice of Case Closure* or within 300 days of the alleged discriminatory act, whichever is earlier.



DFEH does not retain case files beyond three years after a complaint is filed, unless the case is still open at the end of the three-year period.

Sincerely,

Allan Pederson District Administrator

Allen H ( Ledwar)

cc: Case File

JEROME SCHULTZE GAMING COMMISSIONER MORONGO GAMING COMMISSION 49500 SEMINOLE DRIVE CABAZON, CA 92230 ⊊BCIC Form 5 (11/09) Charge Presented To: Agency(ies) Charge No(s): CHARGE OF DISCRIMINATION This form is effected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form. FEPA **EEOC** 480-2010-02530 and EEOC California Department Of Fair Employment & Housing State or local Agency, If any Date of Birth Home Phone (Incl. Area Code) Name (indicate Mr., Ms., Mrs.) 07-24-1951 (760) **251-4604** Mr. John Stutzman City. State and ZIP Gode Street Address 9731 Camino Capistrano, Desert Hot Springs, CA 92240 Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Ageinst Me or Others. (If more then two, list under PARTICULARS below.) Phone No. (include Area Code) No, Employees, Members MORONGO CASINO RESORT & SPA 500 or More (951) 755-5340 Struct Address City, State and ZIP Code 49500 Seminole Dr., Cabazon, CA 92230 Phone No. (Include Area Code) Name No. Employees, Members Street Address City, State and ZIP Code DISCRIMINATION BASED ON [Check appropriete box(ex).) DATE(S) DISCRIMINATION TOOK PLACE Parline: 07-29-2010 08-04-2010 RACE COLOR SEX RELIGION NATIONAL ORIGIN DIŜABILITY GENETIC INFORMATION RETALIATION AGE CONTINUING ACTION OTHER (Specify) THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): I began my employment with the Morongo Casino on or about September 28, 2004 and my most 1. recent position with the company was Senior Sergeant. On or about July 2010, I believe my employer became aware of complaints that were filed against the company and assumed that I also had filed. On or about July 29, 2010, I was notified by a company memo that I have been demoted from Senior Sergeant of the X-Ray Unit and reassigned to Sergeant of "A" watch (graveyard shift) and was replaced by a younger Senior Sergeant. On or about August 4, 2010, I was discharged by Robert Ferrall, Director of Human Resources for the Tribal Administration. I have not been provided with a reason as to why I have been demoted. I was told by Robert II. Ferrall that the reason for my discharge was that he "determined [i] took casino property and [was] terminated." I believe I have been discriminated against due to my age (59), in violation of the Age III. Discrimination in Employment Act of 1967, as amended and in retailation for participating in a protected activity. I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I w cooperate fully with them in the processing of my charge in accordance with their I awar or affirm that I have need the above charge and that it is true to the beat of my lonoveledge, information and belief. procedures. I declare under panalty of perjury that the above is true and correct. SIGNATURE OF COMPLAINANTAKE Aug 05, 2010

TTY # (800) 700-2320

### DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

(SEE ADDRESS CHECKED BELOW)



4800 Stockdale Hwy., Suite 215 **EEOC Number:** Bakersfield, CA 93309 Robert Ferrell (661) 395-2729 480-2010-02530 Human Resources Case Name: Morongo Casino Resort & Spa John Stutzman 49500 Seminole Drive 1320 E. Shaw Avenue, Suita 150 Date: 8/5/2010 Fresno, CA 93710 Cabazon, CA 92230 (559) 244-4780 NOTICE TO COMPLAINANT AND RESPONDENT This is to advise you that the above-referenced complaint is being referred to 1055 West Seventh Street. Suite 1400 the California Department of Fair Employment and Housing (DFEH) by the U.S. Los Angeles, CA 90017 Equal Employment Opportunity Commission (EEOC). The complaint will be filed (213) 439-8799 in accordance with California Government Code section 12960. This notice constitutes service pursuant to Government Code section 12962. 1515 Cley Street, Suite 701 Oakland, CA 94612 (510) 622-2941 No response to the DFEH is required by the respondent. The EEOC will be responsible for the processing of this complaint. DFEH will 2000 "O" Street, Suite 120 not be conducting an investigation into this matter. EEOC should be contacted Sacremento, CA 96811 directly for any discussion of the charge. DFEH is closing its case on the basis (918) 445-5523 of "processing waived to another agency." 1350 Front Street, Suite 1053 NOTICE TO COMPLAINANT OF RIGHT-TO-SUE Sen Diego, CA 92101 (619) 645-2681 Since DFEH will not be issuing an accusation, this letter is also your right-to-sue notice. According to Government Code section 12965, subdivision (b), you may bring a civil action under the provisions of the Fair Employment and **530 Francisco District Office** 1815 Clay Street, Suite 701 Housing Act against the person, employer, labor organization or employment Oakland, CA 94612 agency named in the above-referenced complaint. The lawsuit may be filled in a (\$10) 822-2973 State of California Superior Court. Government Code section 12965, subdivision (b), provides that such a civil action must be brought within one 2870 North First Street, Suite 480 San Jose, CA 95131 year from the date of this notice. Pursuant to Government Code section (408) 328-0344 12965, subdivision (d)(1), this one-year period will be tolled during the pendency of the EEOC's investigation of your complaint. You should consult an attorney to determine with accuracy the date by which a civil action must be 2101 East Fourth Street, Suite 255-8 filled. This right to file a civil action may be walved in the event a settlement Some Ana, CA 92705 (714) 558-4286 agreement is signed. Questions about the right to file under federal law should be referred to the EEOC. The DFEH does not retain case records beyond three years after a complaint is

Remember: This Right-To-Sue Notice allows you to file a private lawsuit in

Sincerely,

State court,

filed.

JÉNNIFER L. HARLAN

Deputy Director, Employment

EEOC Form 5 (11/09)		0		
CHARGE OF DISCRIMINATION	Charge	Presented To:	Agency	/(ies) Charge No(s):
This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		FEPA	Agency	(res) CHAIGE MO(8);
	X	EEOC	480	0-2011-01002
California Department Of Fai	ir Employme	nt & Housing		and EEOC
Name (indicate Mr., Ms., Mrs.)	r	Home Phone (Incl. Area	Code)	Date of Birth
Mr. Michael Thompson Street Address		(951) 286-46	95	07-28-1966
16185 Via Ultimo, Moreno Valley, CA 92551	e and ZIP Code			
Named is the Employer, Labor Organization, Employment Agency, Apprentices Discriminated Against Me or Others. (If more than two, list under PARTICULAR	hip Committee, or (	State or Local Governme	ent Agend	cy That I Believe
Name		No. Employees, Members	Phone	No. (Include Area Code)
MORONGO CASINO RESORT AND SPA		500 or More		00) 252-4499
Street Address City, State	and ZIP Code			
49020 Seminole Dr., Cabazon, CA 92230				
	·	No. Employees, Members	Phone	No. (Include Area Code)
Street Address City, State	and ZIP Code	<u> </u>	<u> </u>	
DISCRIMINATION BASED ON (Check appropriate box(es).)		DATE(S) DISCE	RIMINATIO	N TOOK PLACE
RAGE COLOR SEX RELIGION	NATIONAL ORIGI	Earliest		Latest
Y RETALIATION CONT.	NETIC INFORMATIO	00-20	)10	12-03-2010
OTHER (Specify)	TALLIO HAPOPONA, I C	l ,——,	COMPINE II	NG ACTION
THE PARTICULARS ARE (If additional paper is needed, attach extre sheet(s)):	1			
I. On or about July 21, 2001, I was hired as a Security about July 28, 2010. I filed a charge of discrimination	Guard by Mo	rongo Casino Re	sort an	d Spa. On or
about July 28, 2010, I filed a charge of discrimination of from information provided by another employee.				
from my employment by Robert Ferrall, Human Resou	irces Director.	December 3, 20°	10, I W	as terminated
II. The reason I was given by Robert Ferrall, Human Remy employment was "at will", I could be terminated at us from you".	sources Direct	ctor for my termin	ation v	vas that since
us from you".	any ume and	the decision wa	s made	e to "separate
III I believe that I was discriminated and a second		•		
III. I believe that I was discriminated against and subseque discrimination with the EEOC, in violation of Title VII of	iently dischar	ged in retaliation	for filin	g a charge of
of the original of the original or the origina	i die Civil Kigi	nts Act of 1964, a	s amer	nded.
want this charge filed with both the EEOC and the State or local Agency, if any. 1	NOTE ON	,		
will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.	NOTART When he	cessary for State and Loca	Agency R	Requirements
declare under penalty of perjury that the above is true and correct.	I swear or affirm the the best of my kno SIGNATURE OF CO	nat I have read the above wiedge, information and MPLAINANT	e charge belief.	and that it is true to
Date Charging Party Signature	SUBSCRIBED AND (month, day, year)	SWORN TO BEFORE MET	THIS DATE	<u> </u>
Simularly Farty Signature				1

STATE OF CALIFORNIA | State and Consumer S



be



Secremento District Office 2218 Keupen Drive, Sulle 100

2570 North First Street, Sulle 460

Elk Grove, CA 95758 (918) 478-7230

San Jose, CA 95131 (405) 325-0344

### DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

2218 Kausen Drive | Suite 100 | ER Grove | CA 95758-7115 (916) 478-7251 | TTY (800) 700-2320 | Videophone for the DEAF (916) 226-5285 | Fax (916) 478-7329 www.dish.ca.gov

### **EEOC Number:**

Morongo Casino Resort And Spa 49020 Seminole Dr. Cabazon, CA 92230

480-2011-01002 Case Name:

> Michael Thompson Date: 3/3/2011

	•	NOTICE TO COMPLAINANT AND RESPONDENT
7	4800 Stockdele Hwy., Sulte 216 Sakersteid, CA 93309 (981) 585-2729	This is to advise you that the above-referenced complaint is being referred to the California Department of Fair Employment and Housing (DFEH) by the U.S. Equal Employment Opportunity Commission (EEOC). The complaint will be filed in accordance with California Government Code section 12980. This notice
ָרָ	Ray Area Rectional Office 1815 Clay Street, Suits 701	constitutes service pursuant to Government Code section 12982.
Oakland, CA 94612 (510) 622-2941	Oakland, CA 94612	No response to the DFEH is required by the respondent.
]	1277 Alturial Avenue, Suits 101 Freeno, CA 93720 (658) 244-4760	The EEOC will be responsible for the processing of this complaint. DFEH will not be conducting an investigation into this matter. EEOC should be contacted directly for any discussion of the charge. DFEH is closing its case on the basis of "processing waited to another sense."

#### NOTICE TO COMPLAINANT OF RIGHT-TO-SUE 1056 West Beventh Street, Sulle 1400 LOS Angeles, CA 90017 (218) 439-6799

waived to another agency."

Since DFEH will not be issuing an accusation, this letter is also your right-to-sue notice. According to Government Code section 12985, subdivision (b), you may bring a civil action under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The lawsuit may be filed in a State of California Superior Court. Government Code section 12965, subdivision (b), provides that such a civil action must be brought within one year from the date of this notice. Pursuant to Government Code section 12955, subdivision (d)(1), this one-year period will be tolled during the pendency of the EEOC's investigation of your complaint. You should consult an attorney to determine with accuracy the date by which a civil action must be filed. This right to file a civil action may be waived in the event a settlement agreement is signed. Questions about the right to file under federal law should be referred to the EEOC.

The DFEH does not retain case records beyond three years after a complaint is filed.

Remember: This Right-To-Sue Notice allows you to file a private lawsuit in State court.

Sincerely,

TIMOTHY M. MUSCAT Chief of Enforcement

# SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE 4050 Main Street Riverside, CA 92501 www.riverside.courts.ca.gov

NOTICE OF ASSIGNMENT TO DEPARTMENT FOR CASE MANAGEMENT PURPOSES AND CASE MANAGEMENT CONFERENCE (CRC 3.722)

CHAVEZ VS MORONGO CASINO RESORT & SPA

CASE NO. RIC 1112191

This case is assigned to the Honorable Judge Gloria Connor Trask in Department 03 for case management purposes. The Case Management Conference is scheduled for 02/03/12 at 8:30 in Department 03.

(Bad Mnemonic)
Case Management Conference Hearing

The plaintiff/cross-complainant shall serve a copy of this notice on all defendants/cross-defendants who are named or added to the complaint and file proof of service.

Any disqualification pursuant to CCP Section 170.6(2) shall be filed in accordance with that section.

### CERTIFICATE OF MAILING

I certify that I am currently employed by the Superior Court of California, County of Riverside, and that I am not a party to this action or proceeding. In my capacity, I am familiar with the practices and procedures used in connection with the mailing of correspondence. Such correspondence is deposited in the outgoing mail of the Superior Court. Outgoing mail is delivered to and mailed by the United States Postal Service, postage prepaid, the same day in the ordinary course of business. I certify that I served a copy of the foregoing notice on this date, by depositing said copy as stated above.

Dated: 07/21/11

Court Executive Officer/Clerk

Ву: \_

ANNA B SANOHEZ

Deputy Clerk

ac:cmc;cmcb;cmch;cmct;cmcc
cmccb;cmcch;cmcct

	CM-010		
FOR	R COURT USE ONLY		
Gloria Dredd Haney, State Bar No. 157627			
LAW OFFICES OF GLORIA DREDD HANEY			
333 City Boulevard West, 17th Floor Orange, California 92868			
TELEPHONE NO.: 714.938.3230 FAX NO.: 714.921.2856			
ATTORNEY FOR (Name): Plaintiffs			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF RIVERSIDE			
street address: 4050 Main Street  Mailing address: 4050 Main Street			
CITY AND ZIP CODE: Riverside, California 92501-3703			
BRANCH NAME: Riverside Courthouse			
CASE NAME:			
Chavez, et al. v. Morongo Casino Resort & Spa, et al.			
CIVIL CASE COVER SHEET Complex Case Designation	111213		
✓ Unlimited			
(Amount (Amount Judge:	·		
demanded demanded is Filed with first appearance by defendant exceeds \$25,000) \$25,000 or less) (Cal. Rules of Court, rule 3.402)			
Items 1–6 below must be completed (see instructions on page 2).			
Check <b>one</b> box below for the case type that best describes this case:			
Auto Tort Contract Provisionally Complex			
Auto (22)  Breach of contract/warranty (06)  (Cal. Rules of Court, ru	·		
Uninsured motorist (46)  Rule 3.740 collections (09)  Antitrust/Trade ret	•		
Other PI/PD/WD (Personal Injury/Property Other collections (09) Construction defe	ect (10)		
Damage/Wrongful Death) Tort Insurance coverage (18) Mass tort (40)	(88)		
Asbestos (04)  Other contract (37)  Securities litigatio			
Product liability (24)  Real Property  Environmental/To			
condomnation (14) shows listed provi	age claims arising from the risionally complex case		
Other PI/PD/WD (23)  Non-PI/PD/WD (Other) Tort  Other PI/PD/WD (Other) Tort  Wrongful eviction (33)  Vypes (41)			
Business tort/unfair business practice (07)  Other real property (26)  Enforcement of Judgm	nent		
Civil rights (08)  Unlawful Detainer  Enforcement of ju	udgment (20)		
Defamation (13) Commercial (31) Miscellaneous Civil Co	omplaint		
Fraud (16) Residential (32) RICO (27)			
Intellectual property (19) Drugs (38) Other complaint (	(not specified above) (42)		
Professional negligence (25)  Judicial Review  Miscellaneous Civil Pe	etition		
Other non-PI/PD/WD tort (35)  Asset forfeiture (05)  Partnership and c	corporate governance (21)		
	ot specified above) (43)		
Wrongful termination (36) Writ of mandate (02)			
Other employment (15)  Other judicial review (39)  Other spice of Court If the call the control of Court If the call the control of Court If the call the control of Court If the call the control of Court If the call the control of Court If the call the call the control of Court If the call the control of Court If the call the control of Court If the call the ca	and is complex, mark the		
2. This case is complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:			
Lease number of witnesses			
a. Large number of separately represented parties  b. Extensive motion practice raising difficult or novel  e. Coordination with related actions pending in one or more courts			
issues that will be time-consuming to resolve in other counties, states, or countries			
c. Substantial amount of documentary evidence f. Substantial postjudgment judicial s	supervision		
	ive relief c. v punitive		
<ol> <li>Remedies sought (check all that apply): a. ✓ monetary b nonmonetary; declaratory or injunction</li> <li>Number of causes of action (specify): //</li> </ol>			
<ul> <li>5. This case   is   is not a class action suit.</li> <li>6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015)</li> </ul>	5.)		
	mahn		
Date: July 21, 2011 GLORIA DREDD HANEY	red Henry		
(TYPE OR PRINT NAME) (SIGNATURE OF PARTY OR AT	TTORNEY FOR PARTY)		
NOTICE	na annog or angos filed		
Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result			
in sanctions			
• File this payer shoot in addition to any cover sheet required by local court rule.			
If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.			
<ul> <li>Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.</li> </ul>			





### INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiffs designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

#### **Auto Tort**

Auto (22)-Personal Injury/Property Damage/Wrongful Death Uninsured Motorist (46) (if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)

Other PI/PD/WD (Personal Injury/ Property Damage/Wrongful Death) Tort

Asbestos (04)

Asbestos Property Damage Asbestos Personal Injury/ Wrongful Death Product Liability (not asbestos or toxic/environmental) (24) Medical Malpractice (45)

Medical Malpractice-Physicians & Surgeons Other Professional Health Care Malpractice

Other PI/PD/WD (23)

Premises Liability (e.g., slip and fall)

Intentional Bodily Injury/PD/WD

(e.g., assault, vandalism) Intentional Infliction of **Emotional Distress** 

Negligent Infliction of **Emotional Distress** 

Other PI/PD/WD

### Non-PI/PD/WD (Other) Tort

**Business Tort/Unfair Business** Practice (07) Civil Rights (e.g., discrimination,

false arrest) (not civil harassment) (08)

Defamation (e.g., slander, libel)

(13)Fraud (16)

Intellectual Property (19)

Professional Negligence (25) Legal Malpractice Other Professional Malpractice

(not medical or legal) Other Non-PI/PD/WD Tort (35)

**Employment** 

Wrongful Termination (36) Other Employment (15)

### CASE TYPES AND EXAMPLES

#### Contract

Breach of Contract/Warranty (06) Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) Contract/Warranty Breach-Seller

Plaintiff (not fraud or negligence) Negligent Breach of Contract/ Warranty

Other Breach of Contract/Warranty Collections (e.g., money owed, open

book accounts) (09)

Collection Case-Seller Plaintiff Other Promissory Note/Collections Case

Insurance Coverage (not provisionally complex) (18)

**Auto Subrogation** 

Other Coverage Other Contract (37)

Contractual Fraud Other Contract Dispute

### Real Property

Eminent Domain/Inverse Condemnation (14)

Wrongful Eviction (33)

Other Real Property (e.g., quiet title) (26) Writ of Possession of Real Property

Mortgage Foreclosure

Quiet Title

Other Real Property (not eminent domain, landlord/tenant, or foreclosure)

#### **Unlawful Detainer**

Commercial (31)

Residential (32)

Drugs (38) (if the case involves illegal drugs, check this item; otherwise. report as Commercial or Residential)

### **Judicial Review**

Asset Forfeiture (05)

Petition Re: Arbitration Award (11) Writ of Mandate (02)

Writ-Administrative Mandamus Writ-Mandamus on Limited Court

Case Matter

Writ-Other Limited Court Case

Review

Other Judicial Review (39)
Review of Health Officer Order

Notice of Appeal-Labor Commissioner Appeals Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400-3.403)

Antitrust/Trade Regulation (03) Construction Defect (10) Claims Involving Mass Tort (40)

Securities Litigation (28) Environmental/Toxic Tort (30)

Insurance Coverage Claims (arising from provisionally complex case type listed above) (41)

**Enforcement of Judgment** 

Enforcement of Judgment (20) Abstract of Judgment (Out of

County)

Confession of Judgment (nondomestic relations)

Sister State Judgment

Administrative Agency Award (not unpaid taxes)

Petition/Certification of Entry of Judgment on Unpaid Taxes Other Enforcement of Judgment

### Miscellaneous Civil Complaint

RICO (27)

Other Complaint (not specified above) (42)

Declaratory Relief Only Injunctive Relief Only (nonharassment)

Mechanics Lien

Other Commercial Complaint Case (non-tort/non-complex)

Other Civil Complaint (non-tort/non-complex)

#### Miscellaneous Civil Petition

Partnership and Corporate Governance (21)

Other Petition (not specified above) (43)

Civil Harassment Workplace Violence

Elder/Dependent Adult Abuse

**Election Contest** Petition for Name Change

Petition for Relief From Late Claim

Other Civil Petition

### FW-003

## Order on Court Fee Waiver (Superior Court)

Person who asked the court to waive court fees:  Name: Markist Herbert	SUPERIOR POR HILL STORMA	
Street or mailing address: 27620 Connie Way	JUL 26 <b>201</b> 1	
City: Sun City State: CA Zip: 92586	Constitution	
2 Lawyer, if person in 1 has one (name, address, phone number, e-mail, and State Bar number): Gloria Dredd Haney, 157627	A VALUE S	
LAW OFFICES OF GLORIA DREDD HANEY	Fill in court name and street address:	
333 City Boulevard West, 17th Floor	Superior Court of California, County of	
Orange, California 92868	RIVERSIDE	
A request to waive court fees was filed	Riverside Superior Court	
on (date): July 21, 2011	4050 Main Street	
The sount made a manifest feet majority and in this case	Riverside, California 92501-3703	
☐ The court made a previous fee waiver order in this case on (date):	577	
on (unie).	Fill in case number and case name:	
<b>—</b>	Case Nac C 1112191	
Read this form carefully. All checked boxes are court orders.	Case Name:	
	Chavez, et al. v. Morongo, et al.	
Notice: The court may order you to answer questions about your finances and fees. If this happens and you do not pay, the court can make you pay the fees at is a change in your financial circumstances during this case that increases your notify the trial court within five days. (Use form FW-010.) If you win your case to pay the fees. If you settle your civil case for \$10,000 or more, the trial court amount of the waived fees. The trial court may not dismiss the case until the lie	and also charge you collection fees. If there ability to pay fees and costs, you must e, the trial court may order the other side will have a lien on the settlement in the	
After reviewing your (check one): Request to Waive Court Fees the court makes the following orders:	Request to Waive Additional Court Fees	
a. The court grants your request, as follows:		
(1) Fee Waiver. The court grants your request and waives your court in	fees and costs listed below (Cal Rules of	
Court, rule 3.55.) You do not have to pay the court fees for the foll		
• •	g notice and certificates	
Ψ <b>1</b> 1	Sending papers to another court department	
<ul> <li>Reporter's daily fee (for up to 60 days following the fee waiver of</li> </ul>		
<ul> <li>Preparing and certifying the clerk's transcript on appeal</li> <li>Court</li> </ul>	fees for phone hearings	
(2) Additional Fee Waiver. The court grants your request and waives costs that are checked below. (Cal. Rules of Court, rule 3.56.) You		

Judicial Council of California, www.courtinfo.ca.gov

Revised July 1, 2009, Mandatory Form Government Code, § 68634(e) California Rules of Court, rule 3.52

☐ Jury fees and expenses

Other (specify):

☐ Fees for court-appointed experts

(3) Fee Waiver for Appeal. The court grants your request and waives the fees and costs checked below, for your appeal. (Cal. Rules of Court, rules 3.55, 3.56, 8.26, and 8.818.) You do not have to pay for the checked items.

Reporter's daily fees (beyond the 60-day period following the fee waiver order)

☐ Fees for a peace officer to testify in court

Court-appointed interpreter fees for a witness

,		Case Number:
Your name: MARKIST HERBERT		
b.  The court denies your request, as		
Warning! If you miss the deadline you filed with your original request	below, the court cannot process your requ . If the papers were a notice of appeal, the	uest for hearing or the court papers appeal may be dismissed.
(1) The court denies your request this order (see date below) to:  • Pay your fees and costs, or		0 days after the clerk gives notice of
File a new revised request	t that includes the items listed below	(specify incomplete items):
• •		ed on the request shows that you are not
The court has enclosed a blan FW-006. You have 10 days a • Pay your fees and costs, or	after the clerk gives notice of this orde	Fee Waiver Order (Superior Court), former (see date below) to:
• Ask for a hearing in order	r to show the court more information.	(Use form FW-006 to request hearing.)
	to decide whether to grant your requisions regarding eligibility	est. You must go to court on the date
☐ Bring the following proof to	support your request if reasonably a	vailable:
Hearing Date:		address of court if different from page 1:
Dept.:	Rm.:	
waive court fees, and you will have 1	rou do not go to court on your hearing date 10 days to pay your fees. If you miss that or request. If the papers were a notice of app	deadline, the court cannot process
Date: 7/22/11	Moth	
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Signdtuke of (check one):	adicial Officer 🔲 Clerk, Deputy
language interpreter services are		r-assisted real-time captioning, or sign efore your hearing. Contact the clerk's 54.8.)
	Clerk's Certificate of Service	
I certify that I am not involved in this case		of mailing is attached.
I handed a copy of this order to the par		
This order was mailed first class, postage from (city): Riverside	ge paid, to the party and attorney, if a , California on the date bel	ny, at the addresses listed in $\cup$ and $\bigcirc$ , ow.
Date: 7-2(0-11	Clerk, by	, Deputy
Revised July 1, 2009	This is a Court Order.	FW-003, Page 2 of 2

Order on Court Fee Waiver (Superior Court)