

1 GLORIA ALLRED, ESQ. SBN 65033
 2 NATHAN GOLDBERG, ESQ. SBN 61292
 3 LAW OFFICES
 4 ALLRED, MAROKO & GOLDBERG
 5 SUITE 1500
 6 6300 WILSHIRE BOULEVARD
 7 LOS ANGELES, CALIFORNIA 90048-5217
 8 Telephone No. (323) 653-6530
 9 Fax No. (323) 653-1660

FILED
 SUPERIOR COURT OF CALIFORNIA
 COUNTY OF LOS ANGELES

JUL 22 2010

John A. Clarke / Executive Officer / Clerk
 By [Signature] Deputy
 AMBER LAFLEUR-CLAYTON

Attorneys for Plaintiff, **KRISTINA HAGAN**

Del David Manning

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF LOS ANGELES

12 KRISTINA HAGAN,
 13 Plaintiff,
 14 vs.
 15 DAVID BOREANAZ, an individual; FAR
 16 FIELD PRODUCTIONS, a California
 17 corporation; JOSEPHSON
 18 ENTERTAINMENT, a California
 19 corporation; 20th CENTURY FOX
 20 TELEVISION, a California corporation; and
 21 DOES 1 through 10, inclusive,
 22 Defendants.

CASE NO.: **BC442081**
COMPLAINT FOR DAMAGES
 1. SEXUAL HARASSMENT - QUID PRO QUO/FAILURE TO HIRE (Gov't Code §12940, et seq.)
 2. SEXUAL HARASSMENT (Civil Code §51.9)
 3. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

PRELIMINARY FACTUAL STATEMENT

1. Plaintiff **KRISTINA HAGAN** (hereinafter "Plaintiff" or "Ms. Hagan") individual, who at all relevant times herein was a resident of the County of Los Angeles, California.
 2. Plaintiff is informed and believes, and based thereon alleges, that Defendant **DAVID BOREANAZ** ("Mr. Boreanaz") is an individual who at all relevant times herein was a resident of Los Angeles County, California. Plaintiff is informed and believes and based thereon alleges that **DAVID BOREANAZ** represented to Plaintiff that he was, at all relevant times, an

CIT/CASE: BC442081 LEA/JEF/10
 RECEIVED # : CCHS0305 860
 DATE STAMP: 07/22/10 11:11:05 AM
 PAYMENT: \$355.00
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1 acting within the scope of their authority or employment as agents and/or employees thereof, and
2 with the permission and consent of the other Defendants.

3 8. Ms. Hagan is an actress and has been a member of the Screen Actor's Guild since
4 1995. She is the mother of two children and in 2009 decided that she would move to Los
5 Angeles on a part-time basis from her main residence in San Jose, California in order to further
6 pursue her acting career.

7 9. On August 21, 2009, Ms. Hagan had an "extra" role on the Fox Television series
8 Bones. Ms. Hagan was paid for her work on "Bones." While Ms. Hagan was on the set she saw
9 Defendant Boreanaz, the star of the series, lingering around the area in which she was working.
10 He came over to her and began making small talk with her. As they talked he walked with her so
11 that she could retrieve her personal items as she had finished working. He then asked Ms. Hagan
12 if she would be interested in additional work on the show as an extra. She declined because she
13 was filling in for another actor that day and did not want that person to lose their job. In addition,
14 she explained to him that she was interested in pursuing feature roles. Mr. Boreanaz had his
15 picture taken with Ms. Hagan. Mr. Boreanaz indicated that he would be able to help her secure a
16 job on the series "Bones" in a featured role. At his request Ms. Hagan gave Mr. Boreanaz her
17 head shots, business card and contact information. The only reason Ms. Hagan gave Mr.
18 Boreanaz her contact information was so that he could contact her with job opportunities. Ms.
19 Hagan was very excited because Mr. Boreanaz told her that he was an Executive Producer on the
20 "Bones" series and that he had the ability to make things happen for her.

21 10. As Ms. Hagan left the set that day, she was approached by a man who introduced
22 himself as working on "Bones." He stated that Mr. Boreanaz had told him to give Ms. Hagan's
23 head shots and information to the show's casting director which confirmed for Ms. Hagan that
24 Mr. Boreanaz was serious with regard to his promise that he would help her secure future
25 employment.

26 11. While Ms. Hagan was on the set in the dressing room changing, she received a
27 text message from Mr. Boreanaz. His message stated that he felt that he and Ms. Hagan had a
28 real connection with one another, a real chemistry.

1 12. After she left the "Bones" set in the mid to late afternoon, Ms. Hagan went to The
2 Grove, an outdoor shopping mall in Los Angeles, with a friend for dinner. During the meal Ms.
3 Hagan received text messages from Mr. Boreanaz, including one with an attachment of a picture
4 of his penis. He continued texting her throughout the rest of the day and into the night. Many of
5 the text messages contained sexually inappropriate material. Ms. Hagan was offended by the text
6 messages but nevertheless wanted to maintain a relationship with him because it was very
7 important to her to secure employment as she was a struggling actress.

8 13. That night, Mr. Boreanaz telephoned Ms. Hagan and spoke to her in a sexually
9 suggestive manner. Ms. Hagan did her best to deter his sexual advances, but did so in such a
10 manner that she would not offend him since he had offered to assist her in her acting career.

11 14. On September 9, 2009, she agreed to meet him for coffee. She told him that she
12 had an audition that day at NBC and that they could meet afterwards. He picked her up after her
13 audition and drove her to a park near Beachwood Canyon. As they were driving, Mr. Boreanaz
14 told Ms. Hagan that he was trying to find the right role for her - one that would be a perfect fit
15 for her. He repeatedly told her that he was "the boss" and that he could make things happen for
16 her from a career standpoint. Once they arrived at their destination, Mr. Boreanaz parked his car
17 in the parking lot and turned off the motor. He then attempted to kiss her. He then attempted to
18 touch Ms. Hagan's breasts and she pushed him away, but he persisted. Mr. Boreanaz unzipped
19 his pants, pulled out his penis and began stroking it until he ejaculated. He pushed himself on
20 top of her, and when he tried to put his hand down her pants and touch her she pushed him off of
21 her.

22 15. At some point Mr. Boreanaz moved his car to another spot in the lot and parked in
23 a new location. Once again, he became sexually aggressive toward Ms. Hagan. During that time
24 Mr. Boreanaz received a text message from his wife. He called his wife from his cell phone in
25 front of Ms. Hagan and told his wife that he was at work. After he was off the phone, he drove
26 the two of them through Beachwood Canyon and for a third time, he parked his car, this time
27 along the reservoir and again became sexually aggressive with her. He continued to try and put
28 his hands down her pants and she continued to resist. After she was with him for nearly three

1 hours, and after numerous requests, he finally dropped her off.

2 16. After this September 9, 2009 encounter Mr. Boreanaz continued to text Ms.
3 Hagan on almost a daily basis. On September 22, 2009, at approximately 10:00 p.m. Mr.
4 Boreanaz called Ms. Hagan and said that he'd just gotten off work and that he wanted to see her.
5 She told him that she was already in bed for the evening and that she was tired. Mr. Boreanaz
6 would not take no for an answer. He said he was driving to her house and that he would call
7 when he arrived. Mr. Boreanaz telephoned her when he arrived on her street. Mr. Boreanaz
8 asked if he could come into her house and she refused. She finally agreed to come outside. She
9 was dressed in sweat pants and a tee-shirt.

10 17. Mr. Boreanaz told Ms. Hagan to get into his car and he drove a short distance
11 from her house. He parked the car and then began attempting to kiss her and touch her while at
12 the same time touching his penis. He then got on top of her and rubbed himself against her. He
13 attempted to put his hands inside her pants and she resisted. Mr. Boreanaz finally took her home
14 after approximately one and a half hours.

15 18. By this point in time it was apparent to Ms. Hagan that Mr. Boreanaz wanted to
16 have sexual intercourse with her. She felt that she was in a no win situation and she desperately
17 needed to obtain work but she was also determined that under no circumstances would she allow
18 him to have sex with her. However, she also understood that she had to put up with a certain
19 amount of his inappropriate sexual behavior in order to have any opportunity to obtain
20 employment on "Bones."

21 19. On September 29, 2009, Ms. Hagan had an audition for the television series
22 "House." Like "Bones," this series is also filmed on the Fox lot. When Ms. Hagan finished her
23 audition, Mr. Boreanaz called her and insisted that she join him in his trailer. As soon as she got
24 inside the trailer Mr. Boreanaz began grabbing and kissing her. He pushed her down on the bed
25 and began fondling her. Mr. Boreanaz told Ms. Hagan that he really liked the fact that she was
26 wearing nylon hose that day and it "turned him on." Mr. Boreanaz was paged to return to the set
27 while he was on top of Ms. Hagan. He said "damn" and then pulled out his penis and
28 masturbated in front of her. He then said to Ms. Hagan that he needed to leave and that she

1 needed to wait another 10 minutes until she left his trailer. Ms. Hagan was humiliated, degraded
2 and disgusted by his behavior.

3 20. Mr. Boreanaz continued texting and pursuing Ms. Hagan. In one message he told
4 her that he wanted to "get together" with her at the Four Seasons. Ms. Hagan did not comply
5 with that request.

6 21. On October 5, 2009, Mr. Boreanaz texted Ms. Hagan and told her that he and his
7 wife had argued because there were reports of his infidelity that would be appearing in the
8 tabloids. He told Ms. Hagan that the rumors were untrue and that he didn't even know the
9 woman that he was reputedly said to be having an affair with. Mr. Boreanaz said that he would
10 have to "cool it" because lawyers were involved.

11 22. At numerous times during the month of August, September and October Ms.
12 Hagen inquired of Mr. Boreanaz as to the status of his efforts to obtain employment for her. Mr.
13 Boreanaz continually represented that he was continuing to look for the right part or a role for
14 her, one that would be the right fit and that as soon as something became available he would be
15 able to give her a job on the show. Despite Defendant Boreanaz's representations to Plaintiff on
16 August 21, 2009, and thereafter, that he would "get her a job," Defendant failed to hire Ms.
17 Hagan.

18 23. Plaintiff is informed and believes that Mr. Boreanaz has engaged in this type of
19 behavior on other occasions with other women. She is informed and believes that he has used his
20 "star power" and position to entice women who have a desire to act on the show "Bones" by
21 promising or implying that he could get them work on the show and then using their vulnerability
22 to obtain sexual favors from them. The plaintiff is informed and believes that at least one other
23 woman who was seeking to become employed on the show "Bones" has also recently filed a
24 charge of sexual harassment with the State of California Department of Fair Employment and
25 Housing (DFEH). That woman has asked the DFEH to open an investigation into that charge.

26 24. As a result of Defendants' conduct as set forth above, Plaintiff has suffered and
27 continues to suffer emotional and psychological distress, wage losses, and loss of benefits.

28 ///

1 **FIRST CAUSE OF ACTION**

2 **(Sexual Harassment – Quid Pro Quo in Violation of Cal. Gov't Code § 12900 *et seq.***
3 **Against All Defendants)**

4 25. Plaintiff repeats and realleges the allegations set forth in paragraphs 1 through 24
5 and incorporates the same by reference as though fully set forth herein.

6 26. Plaintiff was subjected to sexual harassment–quid pro quo, including by
7 Defendant Boreanaz, in violation of the California Fair Employment and Housing Act (“FEHA”),
8 Cal. Gov't Code § 12940 *et seq.*

9 27. At all relevant times herein, Defendants Far Field, Josephson Entertainment, Fox
10 Television and Does 1-10 are and were employers as defined in FEHA, Cal. Gov't Code §
11 12926.

12 28. Defendants, through their managing agents and supervisors, knew or should have
13 known of the sexual harassment but failed to take immediate and appropriate corrective action.

14 29. Plaintiff is informed and believes and based thereon alleges that in addition to the
15 practices enumerated above, Defendants may have engaged in other discriminatory practices
16 against her which are not yet fully known. At such time as such discriminatory practices become
17 known to her, Plaintiff will seek leave to amend this Complaint in that regard.

18 30. Plaintiff filed timely charges of sexual harassment against Defendants with the
19 DFEH (herein attached as Exhibit A), which issued right to sue notices (herein attached as
20 Exhibit B) to Plaintiff authorizing this lawsuit. Plaintiff has therefore exhausted her
21 administrative remedies. True and correct copies of said documents are attached here as
22 Exhibits.

23 31. As a direct and proximate result of Defendants' willful, knowing and intentional
24 discrimination against her, Plaintiff has suffered and will continue to suffer pain and suffering,
25 extreme and severe mental anguish, emotional distress, and personal physical injuries. Plaintiff
26 is thereby entitled to general and compensatory damages in amounts to be proven at trial.

27 32. As a further, direct and proximate result of Defendants' violation of Cal. Gov't
28 Code § 12900 *et seq.*, as heretofore described, Plaintiff has been compelled to retain the services

1 of counsel in an effort to enforce the terms and conditions of her employment relationship with
2 Defendants, and has thereby incurred, and will continue to incur, legal fees and costs, the full
3 nature and extent of which are presently unknown to her. Plaintiff requests that attorneys' fees be
4 awarded pursuant to Cal. Gov't Code § 12965.

5 33. Plaintiff is informed and believes and based thereon alleges that the outrageous
6 conduct of Defendants described above was done with malice, fraud and oppression and with
7 conscious disregard for her rights and with the intent, design and purpose of injuring her. By
8 reason thereof, Plaintiff is entitled to punitive or exemplary damages from Defendants in a sum
9 according to proof at trial.

10 **SECOND CAUSE OF ACTION**

11 **(Violation of California Civil Code § 51.9 Against Defendant Boreanaz)**

12 34. Plaintiff repeats and realleges the allegations set forth in paragraphs 1 through 33
13 and incorporates the same by reference as though fully set forth herein.

14 35. California Civil Code §51.9 provides that "a person is liable in a cause of action
15 for sexual harassment" when there is a "business, service or professional relationship between
16 Plaintiff and Defendant," the defendant has "made sexual advances, solicitations, sexual requests
17 . . .," and "there is an inability by the plaintiff to easily terminate the relationship."

18 36. As set forth above, Defendant Boreanaz repeatedly represented to Ms. Hagan that
19 he had the ability to hire her not only for his series "Bones" but that he had such power and clout
20 that he could make things happen for her in Hollywood.

21 37. As a direct and proximate result of Defendants' willful, knowing and intentional
22 discrimination against her, Plaintiff has suffered and will continue to suffer pain and suffering,
23 extreme and severe mental anguish, emotional distress, and personal physical injuries. Plaintiff
24 is thereby entitled to general and compensatory damages in amounts to be proven at trial.

25 38. As a further, direct and proximate result of Defendants' violation of Cal. Civil
26 Code § 51.9, as heretofore described, Plaintiff has been compelled to retain the services of
27 counsel in an effort to enforce the terms and conditions of her employment relationship with
28 Defendants, and has thereby incurred, and will continue to incur, legal fees and costs, the full

1 nature and extent of which are presently unknown to her. Plaintiff requests that attorneys' fees be
2 awarded pursuant to Cal. Civil Code § 52(b).

3 39. Plaintiff is informed and believes and based thereon alleges that the outrageous
4 conduct of Defendants described above was done with malice, fraud and oppression and with
5 conscious disregard for her rights and with the intent, design and purpose of injuring her. By
6 reason thereof, Plaintiff is entitled to punitive or exemplary damages from Defendants in a sum
7 according to proof at trial.

8 40. Plaintiff is further entitled to a civil penalty of \$25,000.00 pursuant to Cal. Civil
9 Code § 52(b).

10 THIRD CAUSE OF ACTION

11 **(Intentional Infliction of Emotional Distress Against All Defendants)**

12 41. Plaintiff repeats and realleges the allegations set forth in paragraphs 1 through 40
13 and incorporates the same by reference as though fully set forth herein.

14 42. As a direct and proximate result of the outrageous acts of Defendants, and each of
15 them, Plaintiff has suffered general damages including severe emotional distress, fear,
16 embarrassment, nervousness, anxiety, worry, shame, humiliation, distress, with physical
17 manifestations resulting therefrom, shock, sleeplessness and indignity all in an amount to be
18 proven at trial.

19 43. Defendants' conduct was done knowingly, wilfully, and with malicious intent, and
20 with a conscious disregard of Plaintiff's rights and Plaintiff is therefore entitled to an award of
21 punitive damages against Defendants in an amount to be proven at trial.

22 RELIEF REQUESTED

23 **WHEREFORE**, Plaintiff prays judgment be entered in her favor and against Defendants
24 as follows:

25 **AS TO THE FIRST CAUSE OF ACTION:**

26 1. That Plaintiff be awarded general and compensatory damages, including
27 prejudgment interest, in an amount according to proof at trial;

28 ///

- 1 2. That Plaintiff be awarded punitive damages in an amount according to proof at
2 trial;
3 3. That Plaintiff be awarded reasonable attorneys' fees and costs of suit; and
4 4. Such other and further relief as the court deems just and proper.

5 **AS TO THE SECOND CAUSE OF ACTION:**


- 6 1. That Plaintiff be awarded general and compensatory damages, including
7 prejudgment interest, in an amount according to proof at trial.
8 2. A civil penalty of \$25,000.00
9 3. That Plaintiff be awarded punitive damages in an amount according to proof at
10 trial;
11 4. That Plaintiff be awarded reasonable attorneys' fees and costs of suit; and
12 5. Such other and further relief as the court deems just and proper.

13 **AS TO THE THIRD CAUSE OF ACTION:**

- 14 1. That Plaintiff be awarded general and compensatory damages, including
15 prejudgment interest, in an amount according to proof at trial;
16 2. That Plaintiff be awarded punitive damages in an amount according to proof at
17 trial;
18 3. Such other and further relief as the court deems just and proper.

19 DATED: July 22, 2010

ALLRED, MAROKO & GOLDBERG

21 By: 
22 GLORIA ALLRED
23 Attorneys for Plaintiff,
24 **Kristina Hagan**

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23
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25
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27
28

EXHIBIT A

***** EMPLOYMENT *****

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

DFEH # E201011S5121-00

DFEH USE ONLY

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

YOUR NAME (indicate Mr. or Ms.)

TELEPHONE NUMBER (INCLUDE AREA CODE)

HAGAN, KRISTINA

(408)260-1260

ADDRESS

702 S. DANIEL WAY

CITY/STATE/ZIP

SAN JOSE, CA 95128

COUNTY

SANTA CLARA

COUNTY CODE

085

NAMED IS THE EMPLOYER, PERSON, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, OR STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME:

NAME

20TH CENTURY FOX TELEVISION

TELEPHONE NUMBER (Include Area Code)

(310)369-1000

ADDRESS

10201 W. PICO BLVD.

DFEH USE ONLY

CITY/STATE/ZIP

LOS ANGELES, CA 90035

COUNTY

LOS ANGELES

COUNTY CODE

037

NO. OF EMPLOYEES/MEMBERS (if known)

150+

DATE MOST RECENT OR CONTINUING DISCRIMINATION
TOOK PLACE (month, day, and year)

09/29/2009

RESPONDENT CODE

00

THE PARTICULARS ARE:

**I allege that on about or before
09/29/2009, the following
conduct occurred:**

- | | | |
|--|--|--|
| <input type="checkbox"/> termination | <input type="checkbox"/> denial of employment | <input type="checkbox"/> denial of family or medical leave |
| <input type="checkbox"/> laid off | <input type="checkbox"/> denial of promotion | <input type="checkbox"/> denial of pregnancy leave |
| <input type="checkbox"/> demotion | <input type="checkbox"/> denial of transfer | <input type="checkbox"/> denial of equal pay |
| <input checked="" type="checkbox"/> harassment | <input type="checkbox"/> denial of accommodation | <input type="checkbox"/> denial of right to wear pants |
| <input type="checkbox"/> genetic characteristics testing | <input type="checkbox"/> failure to prevent discrimination or retaliation | <input type="checkbox"/> denial of pregnancy accommodation |
| <input type="checkbox"/> constructive discharge (forced to quit) | <input type="checkbox"/> retaliation | |
| <input type="checkbox"/> impermissible non-job-related inquiry | <input checked="" type="checkbox"/> other (specify) <u>Failure to Hire</u> | |

by **20TH CENTURY FOX TELEVISION**

because of :

- | | | | |
|---|---|---|--|
| <input checked="" type="checkbox"/> sex | <input type="checkbox"/> national origin/ancestry | <input type="checkbox"/> disability (physical or mental) | <input type="checkbox"/> retaliation for engaging in protected activity or requesting a protected leave or accommodation |
| <input type="checkbox"/> age | <input type="checkbox"/> marital status | <input type="checkbox"/> medical condition (cancer or generic characteristic) | |
| <input type="checkbox"/> religion | <input type="checkbox"/> sexual orientation | <input type="checkbox"/> other (specify) _____ | |
| <input type="checkbox"/> race/color | <input type="checkbox"/> association | | |

State of what you believe to be the reason(s) for discrimination

MR. BOREANAZ, AN EXECUTIVE PRODUCER OF THE TELEVISION SHOW "BONES" AND ITS LEADING ACTOR INDICATED THAT HE WOULD HELP ME OBTAIN EMPLOYMENT AS AN ACTRESS ON THE SHOW. HE PROCEEDED TO SEXUALLY HARASS ME PHYSICALLY, VERBALLY AND THROUGH TEXT MESSAGES FROM AUGUST 21, 2009 TO SEPTEMBER 29, 2009 ALL THE WHILE CONTINUING TO LEAD ME TO BELIEVE THAT HE WAS CONTINUING TO LOOK FOR THE RIGHT ROLE FOR ME. I WOULD NOT SUBMIT TO HAVING SEXUAL INTERCOURSE WITH MR. BOREANAZ. MR. BOREANAZ NEVER PROVIDED ME WITH ANY ACTING JOBS.

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 **07/22/2010**

At **Los Angeles**

Kristina Hagan
Kristina Hagan

DATE FILED: **07/22/2010**

***** EMPLOYMENT *****

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

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CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

YOUR NAME (indicate Mr. or Ms.)

HAGAN, KRISTINA

TELEPHONE NUMBER (INCLUDE AREA CODE)

(408)260-1260

ADDRESS

702 S. DANIEL WAY

CITY/STATE/ZIP

SAN JOSE, CA 95128

COUNTY

SANTA CLARA

COUNTY CODE

085

NAMED IS THE EMPLOYER, PERSON, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, OR STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME:

NAME

FAR FIELD PRODUCTIONS

TELEPHONE NUMBER (Include Area Code)

(310)000-0000

ADDRESS

9601 WILSHIRE BLVD. 3RD FLOOR

DFEH USE ONLY

CITY/STATE/ZIP

BEVERLY HILLS, CA 90210

COUNTY

LOS ANGELES

COUNTY CODE

037

NO. OF EMPLOYEES/MEMBERS (if known)

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DATE MOST RECENT OR CONTINUING DISCRIMINATION
TOOK PLACE (month, day, and year)

09/29/2009

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THE PARTICULARS ARE:

I allege that on about or before
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conduct occurred:

- | | | |
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| <input type="checkbox"/> laid off | <input type="checkbox"/> denial of promotion | <input type="checkbox"/> denial of pregnancy leave |
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| <input type="checkbox"/> constructive discharge (forced to quit) | <input type="checkbox"/> retaliation | |
| <input type="checkbox"/> impermissible non-job-related inquiry | <input checked="" type="checkbox"/> other (specify) <u>failure to hire</u> | |

by **FAR FIELD PRODUCTIONS**

Name of Person

Job Title (supervisor/manager/personnel director/etc.)

because of:

- | | | | |
|---|---|---|--|
| <input checked="" type="checkbox"/> sex | <input type="checkbox"/> national origin/ancestry | <input type="checkbox"/> disability (physical or mental) | <input type="checkbox"/> retaliation for engaging in protected activity or requesting a protected leave or accommodation |
| <input type="checkbox"/> age | <input type="checkbox"/> marital status | <input type="checkbox"/> medical condition (cancer or generic characteristic) | |
| <input type="checkbox"/> religion | <input type="checkbox"/> sexual orientation | <input type="checkbox"/> other (specify) _____ | |
| <input type="checkbox"/> race/color | <input type="checkbox"/> association | | |

State of what you believe to be the reason(s) for discrimination

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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 **07/22/2010**

At **Los Angeles**


Kristina Hagan
DATE FILED: **07/22/2010**

***** EMPLOYMENT *****

**COMPLAINT OF DISCRIMINATION UNDER
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FAIR EMPLOYMENT AND HOUSING ACT**

DFEH #

E201011R5123-00

DFEH USE ONLY

State of what you
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reason(s) for
discrimination

MR. BOREANAZ, AN EXECUTIVE PRODUCER OF THE TELEVISION SHOW "BONES" AND ITS LEADING ACTOR INDICATED THAT HE WOULD HELP ME OBTAIN EMPLOYMENT AS AN ACTRESS ON THE SHOW. HE PROCEEDED TO SEXUALLY HARASS ME PHYSICALLY, VERBALLY AND THROUGH TEXT MESSAGES FROM AUGUST, 21, 2009 TO SEPTEMBER 29, 2009 ALL THE WHILE CONTINUING TO LEAD ME TO BELIEVE THAT HE WAS CONTINUING TO LOOK FOR THE RIGHT ROLE FOR ME. I WOULD NOT SUBMIT TO HAVING SEXUAL INTERCOURSE WITH MR. BOREANAZ. MR BOREANAZ NEVER PROVIDED ME WITH ANY ACTING JOBS.

***** EMPLOYMENT *****

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

DFEH #

E201011R5122-00

DFEH USE ONLY

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

YOUR NAME (indicate Mr. or Ms.)

HAGAN, KRISTINA

TELEPHONE NUMBER (INCLUDE AREA CODE)

(408)260-1260

ADDRESS

702 S. DANIEL WAY

CITY/STATE/ZIP

SAN JOSE, CA 95128

COUNTY

SANTA CLARA

COUNTY CODE

085

NAMED IS THE EMPLOYER, PERSON, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, OR STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME:

NAME

DAVID BOREANAZ

TELEPHONE NUMBER (Include Area Code)

(310)000-0000

ADDRESS

10201 W. PICO BLVD.

DFEH USE ONLY

CITY/STATE/ZIP

LOS ANGELES, CA 90035

COUNTY

LOS ANGELES

COUNTY CODE

037

NO. OF EMPLOYEES/MEMBERS (if known)

5

DATE MOST RECENT OR CONTINUING DISCRIMINATION
TOOK PLACE (month, day, and year)

09/29/2009

RESPONDENT CODE

00

THE PARTICULARS ARE:

**I allege that on about or before
09/29/2009, the following
conduct occurred:**

- | | | |
|--|--|--|
| <input type="checkbox"/> termination | <input type="checkbox"/> denial of employment | <input type="checkbox"/> denial of family or medical leave |
| <input type="checkbox"/> laid off | <input type="checkbox"/> denial of promotion | <input type="checkbox"/> denial of pregnancy leave |
| <input type="checkbox"/> demotion | <input type="checkbox"/> denial of transfer | <input type="checkbox"/> denial of equal pay |
| <input checked="" type="checkbox"/> harassment | <input type="checkbox"/> denial of accommodation | <input type="checkbox"/> denial of right to wear pants |
| <input type="checkbox"/> genetic characteristics testing | <input type="checkbox"/> failure to prevent discrimination or retaliation | <input type="checkbox"/> denial of pregnancy accommodation |
| <input type="checkbox"/> constructive discharge (forced to quit) | <input type="checkbox"/> retaliation | |
| <input type="checkbox"/> impermissible non-job-related inquiry | <input checked="" type="checkbox"/> other (specify) <u>Failure to Hire</u> | |

by **DAVID BOREANAZ**

Name of Person

Job Title (supervisor/manager/personnel director/etc.)

because of :

- | | | | |
|---|---|---|--|
| <input checked="" type="checkbox"/> sex | <input type="checkbox"/> national origin/ancestry | <input type="checkbox"/> disability (physical or mental) | <input type="checkbox"/> retaliation for engaging in protected activity or requesting a protected leave or accommodation |
| <input type="checkbox"/> age | <input type="checkbox"/> marital status | <input type="checkbox"/> medical condition (cancer or generic characteristic) | |
| <input type="checkbox"/> religion | <input type="checkbox"/> sexual orientation | <input type="checkbox"/> other (specify) _____ | |
| <input type="checkbox"/> race/color | <input type="checkbox"/> association | | |

**State of what you
believe to be the
reason(s) for
discrimination**

MR. BOREANAZ, AN EXECUTIVE PRODUCER OF THE TELEVISION SHOW "BONES" AND ITS LEADING ACTOR INDICATED THAT HE WOULD HELP ME OBTAIN EMPLOYMENT AS AN ACTRESS ON THE SHOW. HE PROCEEDED TO SEXUALLY HARASS ME PHYSICALLY, VERBALLY AND THROUGH TEXT MESSAGES FROM AUGUST 21, 2009 TO SEPTEMBER 29, 2009 ALL THE WHILE CONTINUING TO LEAD ME TO BELIEVE THAT HE WAS CONTINUING TO LOOK FOR THE RIGHT ROLE FOR ME. I WOULD NOT SUBMIT TO HAVING SEXUAL INTERCOURSE WITH MR. BOREANAZ. MR. BOREANAZ NEVER PROVIDED ME WITH ANY ACTING JOBS.

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 **07/22/2010**

At **Los Angeles**


DATE FILED: **07/22/2010**

***** EMPLOYMENT *****

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

DFEH #

E201011R5122-00

DFEH USE ONLY

State of what you
believe to be the
reason(s) for
discrimination

MR. BOREANAZ, AN EXECUTIVE PRODUCER OF THE TELEVISION SHOW "BONES" AND ITS LEADING ACTOR INDICATED THAT HE WOULD HELP ME OBTAIN EMPLOYMENT AS AN ACTRESS ON THE SHOW. HE PROCEEDED TO SEXUALLY HARASS ME PHYSICALLY, VERBALLY AND THROUGH TEXT MESSAGES FROM AUGUST 21, 2009 TO SEPTEMBER 29, 2009 ALL THE WHILE CONTINUING TO LEAD ME TO BELIEVE THAT HE WAS CONTINUING TO LOOK FOR THE RIGHT ROLE FOR ME. I WOULD NOT SUBMIT TO HAVING SEXUAL INTERCOURSE WITH MR. BOREANAZ. MR. BOREANAZ NEVER PROVIDED ME WITH ANY ACTING JOBS.

***** EMPLOYMENT *****

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

DFEH # E201011R5124-00
 DFEH USE ONLY

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING

YOUR NAME (indicate Mr. or Ms.) HAGAN, KRISTINA TELEPHONE NUMBER (INCLUDE AREA CODE) (408)260-1260

ADDRESS 702 S. DANIEL WAY
 CITY/STATE/ZIP SAN JOSE, CA 95128 COUNTY LOS ANGELES COUNTY CODE 037

NAMED IS THE EMPLOYER, PERSON, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, OR STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME:

NAME JOSEPHSON ENTERTAINMENT TELEPHONE NUMBER (Include Area Code) (310)369-7497

ADDRESS 10201 W. PICO BLVD. DFEH USE ONLY
 CITY/STATE/ZIP LOS ANGELES, CA 90035 COUNTY LOS ANGELES COUNTY CODE 037

NO. OF EMPLOYEES/MEMBERS (if known) 00 DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (month, day, and year) 09/29/2009 RESPONDENT CODE 00

THE PARTICULARS ARE:
I allege that on about or before 09/29/2009, the following conduct occurred:

<input type="checkbox"/> termination	<input type="checkbox"/> denial of employment	<input type="checkbox"/> denial of family or medical leave
<input type="checkbox"/> laid off	<input type="checkbox"/> denial of promotion	<input type="checkbox"/> denial of pregnancy leave
<input type="checkbox"/> demotion	<input type="checkbox"/> denial of transfer	<input type="checkbox"/> denial of equal pay
<input checked="" type="checkbox"/> harassment	<input type="checkbox"/> denial of accommodation	<input type="checkbox"/> denial of right to wear pants
<input type="checkbox"/> genetic characteristics testing	<input type="checkbox"/> failure to prevent discrimination or retaliation	<input type="checkbox"/> denial of pregnancy accommodation
<input type="checkbox"/> constructive discharge (forced to quit)	<input type="checkbox"/> retaliation	
<input type="checkbox"/> impermissible non-job-related inquiry	<input checked="" type="checkbox"/> other (specify) <u>failure to hire</u>	

by JOSEPHSON ENTERTAINMENT
 Name of Person _____ Job Title (supervisor/manager/personnel director/etc.) _____
because of : sex _____ national origin/ancestry _____ disability (physical or mental) _____ retaliation for engaging in protected activity or requesting a protected leave or accommodation
 age _____ marital status _____ medical condition (cancer or generic characteristic) _____
 religion _____ sexual orientation _____ other (specify) _____
 race/color _____ association _____


State of what you believe to be the reason(s) for discrimination MR. BOREANAZ, AN EXECUTIVE PRODUCER OF THE TELEVISION SHOW "BONES" AND ITS LEADING ACTOR INDICATED THAT HE WOULD HELP ME OBTAIN EMPLOYMENT AS AN ACTRESS ON THE SHOW. HE PROCEEDED TO SEXUALLY HARASS ME PHYSICALLY, VERBALLY AND THROUGH TEXT MESSAGES FROM AUGUST, 21, 2009 TO SEPTEMBER 29, 2009 ALL THE WHILE CONTINUING TO LEAD ME TO BELIEVE THAT HE WAS CONTINUING TO LOOK FOR THE RIGHT ROLE FOR ME. I WOULD NOT SUBMIT TO HAVING SEXUAL INTERCOURSE WITH MR. BOREANAZ. MR BOREANAZ NEVER PROVIDED ME WITH ANY ACTING JOBS.

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.

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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 07/22/2010
 At Los Angeles


Kristina Hagan
 DATE FILED: 07/22/2010

***** EMPLOYMENT *****

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

DFEH #

E201011R5124-00

DFEH USE ONLY

State of what you
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EXHIBIT B

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

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



July 22, 2010

HAGAN, KRISTINA
702 S. DANIEL WAY
SAN JOSE, CA 95128

RE: E201011S5121-00
HAGAN/20TH CENTURY FOX TELEVISION

Dear HAGAN, KRISTINA:

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 22, 2010 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.

Notice of Case Closure
Page Two

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,

A handwritten signature in cursive script, appearing to read "Lottie Woodruff".

Lottie Woodruff
District Administrator

cc: Case File

GARY NEWMAN
PRESIDENT
20TH CENTURY FOX TELEVISION
10201 W. PICO BLVD
LOS ANGELES, CA 90035

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

1055 WEST 7TH STREET, SUITE 1400, LOS ANGELES, CA 90017

(213) 439-6770

www.dfeh.ca.gov



July 22, 2010

HAGAN, KRISTINA
702 S. DANIEL WAY
SAN JOSE, CA 95128

RE: E201011R5123-00
HAGAN/FAR FIELD PRODUCTIONS

Dear HAGAN, KRISTINA:

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 22, 2010 because an immediate right-to-sue notice was requested. DFEH will take no further action on the complaint.

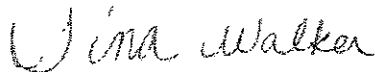
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Notice of Case Closure
Page Two

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,



Tina Walker
District Administrator

cc: Case File

HART HANSON
EXECUTIVE
FAR FIELD PRODUCTIONS
9601 WILSHIRE BLVD. 3RD FLOOR
BEVERLY HILLS, CA 90210

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

1055 WEST 7TH STREET, SUITE 1400, LOS ANGELES, CA 90017
(213) 439-6770
www.dfeh.ca.gov



July 22, 2010

HAGAN, KRISTINA
702 S. DANIEL WAY
SAN JOSE, CA 95128

RE: E201011R5122-00
HAGAN/DAVID BOREANAZ

Dear HAGAN, KRISTINA:

NOTICE OF CASE CLOSURE

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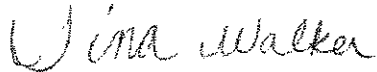
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Notice of Case Closure
Page Two

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,

A handwritten signature in cursive script that reads "Tina Walker".

Tina Walker
District Administrator

cc: Case File

DAVID BOREANAZ
EXECUTIVE PRODUCER
XXXX
10201 W. PICO BLVD
LOS ANGELES, CA 90035

DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

1055 WEST 7TH STREET, SUITE 1400, LOS ANGELES, CA 90017
(213) 439-6770
www.dfeh.ca.gov



July 22, 2010

HAGAN, KRISTINA
702 S. DANIEL WAY
SAN JOSE, CA 95128

RE: E201011R5124-00
HAGAN/JOSEPHSON ENTERTAINMENT

Dear HAGAN, KRISTINA:

NOTICE OF CASE CLOSURE

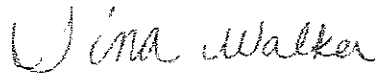
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Sincerely,

A handwritten signature in cursive script that reads "Tina Walker".

Tina Walker
District Administrator

cc: Case File

BARRY JOSEPHSON
EXECUTIVE
JOSEPHSON ENTERTAINMENT
10201 W. PICO BLVD
LOS ANGELES, CA 90035