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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

CRISTINA WONG,

Plaintiff,

vs.

INTEL CORPORATION,

Defendant.

**CASE NO.**

**COMPLAINT FOR SEX AND RACE  
DISCRIMINATION**

**DEMAND FOR JURY TRIAL**

**I. INTRODUCTION**

1. Plaintiff Cristina Wong (“Plaintiff” or “Ms. Wong”) brings this action for sex and/or race discrimination in employment in violation of the Federal Equal Pay Act, 29 U.S.C. § 206(d), *et seq.*, Title VII, 42 U.S.C. § 2000e, *et seq.*, the California Fair Employment and Housing Act (“FEHA”), Cal. Gov. Code §12900, *et seq.*, the California Fair Pay Act, California Labor Code § 1197.5, *et seq.*, and the Unfair Competition Law (“UCL”), Business and Profession Code § 17200, *et seq.*, by Intel Corporation (“Defendant” or “Intel”) and upon information and belief, alleges as follows:

2. Ms. Wong is a lesbian Asian American woman who was an exemplary employee at Intel. She has been consistently praised by Intel for her work performance, including being awarded the Marketing Excellence Award, the highest honor in marketing at Intel. Despite Ms. Wong’s stellar

1 performance over many years as an Intel employee, Ms. Wong was discriminated against because of her  
2 sex and/or race and paid significantly less than her male and white peers.

3 3. Ms. Wong has also been lauded by Intel for “enhanc[ing] the perception of Intel as a  
4 leader in equal employment practices.” But when Ms. Wong discovered that she was being  
5 compensated at a lower rate than her male peers and white peers, she learned how tenuous Intel’s  
6 commitment to equal employment practice is.

7 4. Ms. Wong reported the pay disparity to her manager, to Human Resources, and to Intel’s  
8 WarmLine,<sup>1</sup> giving Intel every opportunity to correct the problem. Despite acknowledging the large pay  
9 disparity, Intel refused. Instead, after raising her concerns, Ms. Wong’s employment was terminated.

10 **II. PARTIES**

11 5. Defendant INTEL CORPORATION (“Intel”) is a corporation incorporated in the state of  
12 Delaware with its principal place of business in Santa Clara, California. As of December 31, 2016, Intel  
13 had approximately 53,000 employees in the United States of America.

14 6. Plaintiff CRISTINA WONG is a former Intel employee residing in this district.

15 **III. JURISDICTION**

16 7. This Court has subject matter jurisdiction over this matter pursuant to 28 U.S.C. § 1331.  
17 This Court has supplemental jurisdiction over the state law claims alleged pursuant to 28 U.S.C. §  
18 1367(a).

19 8. On or about January 23, 2018, Ms. Wong filed a Complaint of Discrimination with the  
20 United States Equal Employment Opportunity Commission (“EEOC”) (EEOC Charge No. 556-2018-  
21 00274) that was simultaneously cross-filed with the California Department of Fair Employment and  
22 Housing (“DFEH”). On March 15, 2018, the DFEH and EEOC each issued a Right to Sue Notice.

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25 \_\_\_\_\_  
26 <sup>1</sup> The WarmLine is touted by Intel as a “Workforce Diversity Program” with the goal of “provid[ing]  
27 employees with the support they need if and when they find themselves struggling with issues or  
28 concerns about staying in their current job or leaving Intel altogether.” Diversity and Inclusion Mid-  
Year Report 2016, 11 (2016), available at: <https://newsroom.intel.com/newsroom/wp-content/uploads/sites/11/2016/08/diversity-midyear-report-2016.pdf>.

1 **IV. VENUE AND INTRADISTRICT ASSIGNMENT**

2 9. Defendant Intel has at all relevant times maintained its corporate headquarters in this  
3 district, and also does business in and maintains offices in San Francisco. Intel has thus purposefully  
4 availed itself of the benefits, profits and privileges deriving from its business activities in this district  
5 and division.

6 10. Plaintiff Cristina Wong is a former Intel employee who resides in this district. Ms. Wong  
7 worked for Intel in this district, including in San Francisco.

8 11. Thus, a substantial part of the events or omissions giving rise to Ms. Wong’s claims  
9 occurred in this district and division. 28 U.S.C. § 1391(b)(2), Civ. L.R. 3-2(c).

10 **V. FACTUAL ALLEGATIONS**

11 **Ms. Wong’s Experience at Intel**

12 12. In 2005, Ms. Wong graduated from the University of California, Santa Cruz with a  
13 Bachelor of Arts, majoring in economics. That same year, Ms. Wong began working for Intel as a  
14 Logistics Customer Service Analyst. Ms. Wong received strong performance evaluations and she was  
15 praised for having “demonstrated a keen ability to jump in, figure things out and get up-to-speed  
16 quickly.”

17 13. In 2007, Ms. Wong was promoted to Geographic Business Analyst, responsible for  
18 managing the supply line from Intel to its Americas Sales and Marketing Organization customers. Her  
19 performance was evaluated as “Exceeds Expectations” and she was praised for having “seized  
20 opportunities to drive process improvement, [by] implementing change in a mature and systematic  
21 way.” In 2008, Ms. Wong was evaluated as “Outstanding,” and was described by evaluators “as a high  
22 flyer and future leader at Intel, highly regarded by her peers and the management team.”

23 14. Ms. Wong was promoted to Product Line Analyst in 2009, where she would forecast  
24 server demand and provide market guidance for her Americas Sales and Marketing Organization  
25 counterparts. She was evaluated as “Exceeds Expectations” and praised for her “solid strength in data  
26 analysis.” In 2010, she was also praised for fostering “innovative and creative thinking.”

27 15. In 2010, Ms. Wong attained her Master of Business Administration from the University  
28 of California, Davis – Graduate School of Management, with a concentration in Business Management

1 and Marketing.

2 16. Ms. Wong was promoted to Marketing Specialist as part of the Sales and Marketing  
3 Rotation Program in 2011 where she worked on the Data Center team and the Channel Team. She was  
4 praised for continuing to “demonstrate a strong ability to set and achieve high goals in any role she is  
5 asked to do.” Ms. Wong continued her rotation in 2012, working on the Consumer Campaigns team and  
6 as a co-program manager for the Intel Ambassador program. In her performance evaluation, Ms. Wong  
7 was praised for her “ability to lead cross-functional and cross-geography teams to execute and deliver  
8 successful program results and track them to tangible metrics.”

9 17. In 2013 Ms. Wong was promoted to Product Marketing Specialist where she was  
10 responsible for being the Tablet segment expert for Americas Sales and Marketing Organization,  
11 including setting business objectives, driving technology transitions, launches, and aiding the setting of  
12 go-to-market strategy. She received successful performance evaluations and was praised for her work as  
13 the president of Intel’s Gay, Lesbian, Bisexual, Transgendered and Ally Employee Resource Group  
14 (IGLOBE), which “enhanced the perception of Intel as a leader in equal employment practices.”

15 18. In 2014, Ms. Wong continued in her role as Product Marketing Specialist in addition to  
16 covering the Canadian Consumer Campaigns Manager role, where she delivered above expectation  
17 results in a highly regarded and senior desk. Her performance merited a QGS Award and was evaluated  
18 as “Outstanding” relative to her Sales and Marketing Group Product Marketing Specialist peers.

19 19. After taking maternity leave, Ms. Wong continued in her role as Product Marketing  
20 Specialist and began transitioning her focus from the consumer to the business client side, serving as the  
21 Hewlett Packard account liaison. She continued to receive high evaluations and was praised for her  
22 “ability to work through ambiguous assignments.”

23 20. Most recently, Ms. Wong worked as a Field Sales Engineer in the Sales Marketing Group  
24 where she reported to Chris Hubbard. Her work involved leading the North American go-to-market  
25 strategy for client-computing projects in both consumer and business-to-business environments.

26 **Ms. Wong’s Discovery of Her Discriminatorily Low Pay**

27 21. In June 2017, Ms. Wong discovered a “pay modeling application” on the desktop of her  
28 work computer. When Ms. Wong inputted her salary and job title information she was surprised to learn

1 that for her job title and salary grade the “market range” was approximately \$45,000 to \$130,000 more  
2 than she was making.

3 22. Perplexed by this discovery, Ms. Wong asked her peers in the Sales Marketing Group for  
4 information on their compensation. Ms. Wong performed substantially similar work and had  
5 substantially similar responsibilities as her peers. However, one white male peer disclosed that he was  
6 making at least fifty percent more per year than she was. Another male peer, who would seek her input  
7 and advice on work projects, disclosed that he was also making significantly more than her. A third  
8 peer, a white female who had considerably less educational attainment and experience than herself,  
9 revealed that she too was making significantly more than Ms. Wong.

10 23. On information and belief, Ms. Wong has received discriminatory low pay for  
11 substantially similar work throughout her tenure at Intel.

12 24. Ms. Wong met with her manager, Chris Hubbard, to discuss the disparity in her pay with  
13 her white and male peers. Mr. Hubbard informed Ms. Wong that she was below the minimum pay grade  
14 for her position. Mr. Hubbard indicated that he would discuss the matter with Intel’s Human Resources  
15 to rectify the disparity.

16 25. Ms. Wong met repeatedly with Mr. Hubbard to discuss her pay, but she was told that  
17 Intel’s Human Resources was still working on the problem. When Ms. Wong asked Mr. Hubbard if she  
18 was the lowest paid member in her group, he responded that she was at least making more than the  
19 intern. Ms. Wong did not appreciate her years of experience and educational attainment being compared  
20 to a male intern who had no work experience and was in the process of completing his bachelor’s  
21 degree.

22 26. Mr. Hubbard confirmed that Ms. Wong’s pay disparity was significant and indicated that  
23 she was receiving at least \$30,000 less than the next *lowest* paid employee in the Sales Marketing  
24 Group.

25 27. Ms. Wong was directed to discuss her pay inequity with Intel’s WarmLine. She  
26 reiterated her pay equity complaint to WarmLine employees who promised to investigate her  
27 complaints. Ms. Wong was told that Intel was aware of her pay disparity, and that the WarmLine  
28 employee believed they needed to address the disparity. Ms. Wong was informed that she was being

1 paid at least \$40,000 less than the minimum compensation for her grade level, and that her peers were  
2 being paid at least \$50,000 more than her.

3 28. Despite the WarmLine employee's representations, no action was taken to correct Ms.  
4 Wong's pay disparity with either her male or white peers.

5 29. After raising the issue of her pay disparity, on October 12, 2017, Ms. Wong was  
6 informed that her last day at Intel would be December 31, 2017.

7 **CAUSES OF ACTION**

8 **FIRST CAUSE OF ACTION**  
9 **VIOLATIONS OF THE EQUAL PAY ACT**  
10 **29 U.S.C. § 206(d) *et seq.***

11 30. Ms. Wong hereby incorporates and realleges each and every preceding paragraph of this  
12 Complaint as if the same were set forth at length herein.

13 31. Intel is an "employer" within the meaning of 29 U.S.C. § 203(d).

14 32. Ms. Wong is an "employee" within the meaning of 29 U.S.C. § 203(e).

15 33. Intel has discriminated against Ms. Wong in violation of the Fair Labor Standards Act of  
16 1938, 29 U.S.C. § 206(d), *et seq.*, as amended by the Equal Pay Act of 1963 ("EPA"), by providing her  
17 with lower pay than similarly-situated male colleagues even though Ms. Wong performed substantially  
18 similar duties requiring the same skill, effort and responsibilities as her male counterparts, and were  
19 performed under similar working conditions.

20 34. Intel also discriminated by subjecting Ms. Wong to discriminatory pay policies, including  
21 discriminatory salaries, stock opportunities, raises, and other compensation incentives, and  
22 discriminatory assignments, denials of promotions, and other advancement opportunities that would  
23 result in higher compensation, and other forms of discrimination in violation of the EPA.

24 35. The differential in pay between Ms. Wong and her male colleagues was not due to  
25 seniority, merit, quantity or quality of production, but was due to her sex.

26 36. Intel caused, attempted to cause, contributed to, or caused the continuation of, the wage  
27 discrimination based on sex in violation of the EPA.

28 37. The foregoing conduct constitutes a willful violation of the EPA within the meaning of  
29 U.S.C. § 255(a). Because Intel has willfully violated the EPA, a three-year statute of limitations

1 applies to such violations, pursuant to 29 U.S.C. § 255(a).

2 38. As a result of Intel's conduct, Ms. Wong has suffered and will continue to suffer harm,  
3 included but not limited to: lost earnings, lost benefits, and other financial loss, as well as non-economic  
4 damages.

5 39. By reason of Intel's discrimination, Ms. Wong is entitled to all legal and equitable  
6 remedies available for violations of the EPA including but not limited to, injunctive relief, compensatory  
7 and punitive damages, reinstatement, liquidated damages for all willful violations, prejudgment interest,  
8 attorneys' fees, costs, and other compensation pursuant to 29 U.S.C. § 216(b).

9 40. Ms. Wong requests relief as hereinafter provided.

10 **SECOND CAUSE OF ACTION**  
11 **VIOLATIONS OF TITLE VII OF THE CIVIL RIGHTS ACT OF 1964**  
12 **SEX DISCRIMINATION**  
13 **42 U.S.C. § 2000e, et seq.**

14 41. Ms. Wong hereby incorporates and realleges each and every preceding paragraph of this  
15 Complaint as if the same were set forth at length herein.

16 42. Intel has discriminated against Ms. Wong in violation of Title VII of the Civil Rights Act,  
17 42 U.S.C. § 2000e, et seq., as amended by the Civil Rights Act of 1991 ("Title VII"), as described  
18 herein.

19 43. Intel has discriminated against Ms. Wong by treating her differently from and less  
20 preferably than similarly-situated male employees and by subjecting her to discriminatory pay, stock  
21 opportunities, discriminatory denial of pay raises, discriminatory terms and conditions of employment,  
22 discriminatory job assignments, termination of employment, and other forms of discrimination in  
23 violation of Title VII.

24 44. Intel has failed to prevent, respond to, adequately investigate, and/or appropriately  
25 resolve instances of sex discrimination in the workplace.

26 45. Intel's conduct has been intentional, deliberate, willful, malicious, reckless, and  
27 conducted in callous disregard of the rights of Ms. Wong, entitling her to punitive damages.

28 46. Ms. Wong's sex was a motivating factor in Intel's discriminatory conduct.

47. Intel's policies, practices and/or procedures have produced a disparate impact on Ms.

1 Wong with respect to the terms and conditions of her employment.

2 48. Intel's conduct is not justified by business necessity or, if it could be justified, there are  
3 less discriminatory alternatives to it.

4 49. As a result of Intel's conduct, Ms. Wong has suffered and continues to suffer harm,  
5 including but not limited to, lost earnings, lost benefits, lost future employment opportunities, other  
6 financial loss, as well as non-economic damages.

7 50. By reason of the continuous nature of Intel's discriminatory conduct, which persisted  
8 throughout Ms. Wong's employment, Ms. Wong is entitled to application of the continuing violations  
9 doctrine to all violations alleged herein.

10 51. By reason of Intel's discrimination, Ms. Wong is entitled to all legal and equitable  
11 remedies available for violations of Title VII, including but not limited to, injunctive relief,  
12 reinstatement and an award of compensatory and punitive damages.

13 52. Attorneys' fees and costs should be awarded under 42 U.S.C. § 2000e-5(k).

14 53. Ms. Wong requests relief as hereinafter provided.

15 **THIRD CAUSE OF ACTION**  
16 **VIOLATIONS OF TITLE VII OF THE CIVIL RIGHTS ACT OF 1964**  
17 **RACE DISCRIMINATION**  
18 **42 U.S.C. § 2000e, et seq.**

19 54. Ms. Wong hereby incorporates and realleges each and every preceding paragraph of this  
20 Complaint as if the same were set forth at length herein.

21 55. Intel has discriminated against Ms. Wong in violation of Title VII as described herein.

22 56. Intel has discriminated against Ms. Wong by treating her differently from and less  
23 preferably than similarly-situated employees of other races or ethnicities and by subjecting her to  
24 discriminatory pay, stock opportunities, discriminatory denial of pay raises, discriminatory terms and  
25 conditions of employment, discriminatory job assignments, termination of employment, and other forms  
26 of discrimination in violation of Title VII.

27 57. Intel has failed to prevent, respond to, adequately investigate, and/or appropriately  
28 resolve instances of race discrimination in the workplace.

58. Intel's conduct has been intentional, deliberate, willful, malicious, reckless, and



1 conducted in callous disregard of the rights of Ms. Wong, entitling her to punitive damages.

2 59. Ms. Wong's race was a motivating factor for Intel's discriminatory conduct.

3 60. Intel's policies, practices and/or procedures have produced a disparate impact on Ms.  
4 Wong with respect to the terms and conditions of her employment.

5 61. Intel's conduct is not justified by business necessity or, if it could be justified, there are  
6 less discriminatory alternatives to it.

7 62. As a result of Intel's conduct, Ms. Wong has suffered and continues to suffer harm,  
8 including but not limited to, lost earnings, lost benefits, lost future employment opportunities, other  
9 financial loss, as well as non-economic damages.

10 63. By reason of the continuous nature of Intel's discriminatory conduct, which persisted  
11 throughout Ms. Wong's employment, Ms. Wong is entitled to application of the continuing violations  
12 doctrine to all violations alleged herein.

13 64. By reason of Intel's discrimination, Ms. Wong is entitled to all legal and equitable  
14 remedies available for violations of Title VII, including but not limited to, injunctive relief,  
15 reinstatement and an award of compensatory and punitive damages.

16 65. Attorneys' fees and costs should be awarded under 42 U.S.C. § 2000e-5(k).

17 66. Ms. Wong requests relief as hereinafter provided.

18 **FOURTH CAUSE OF ACTION**  
19 **VIOLATIONS OF THE CALIFORNIA FAIR PAY ACT ON THE BASIS OF SEX**  
20 **California Labor Code § 1197.5, *et seq.***

21 67. Ms. Wong hereby incorporates and realleges each and every preceding paragraph of this  
22 Complaint as if the same were set forth at length herein.

23 68. Intel has discriminated against Ms. Wong in violation of California Labor Code § 1197.5,  
24 *et seq.* by paying her less than similarly situated males who performed the same or substantially similar  
25 work when viewed as a composite of skill, effort, and responsibility, and which was performed under  
26 similar working conditions. Intel also discriminated against Plaintiff by subjecting her to discriminatory  
27 pay, raises, stock opportunities, and/or bonuses, discriminatory denials of promotions and other  
28 advancement opportunities that would result in higher compensation, and other forms of discrimination  
in violation of the California Fair Pay Act.

1 69. Intel caused, attempted to cause, contributed to, or caused the continuation of, the wage  
2 rate discrimination based on sex in violation of the California Fair Pay Act. Moreover, Intel willfully  
3 violated the California Fair Pay Act by intentionally, knowingly, and deliberately paying Plaintiff less  
4 than similarly-situated males.

5 70. As a result of Intel's conduct and/or Intel's willful, knowing and intentional  
6 discrimination, Plaintiff has suffered and will continue to suffer harm, including but not limited to, lost  
7 earning, lost benefits, and other financial loss, as well as non-economic damages.

8 71. Plaintiff is therefore entitled to all legal and equitable remedies, including but not limited  
9 to compensatory damages, and liquidated damages.

10 72. The foregoing conduct constitutes a willful violation of the FEHA within the meaning of  
11 Cal. Lab. Code § 1197.5(i). Because Intel has willfully violated the FEHA, a three-year statute of  
12 limitations applies to such violations, pursuant to Cal. Lab. Code § 1197.5(i).

13 73. Attorneys' fees should be awarded under California Labor Code § 1197.5.

14 74. Ms. Wong requests relief as hereinafter provided.

15 **FIFTH CAUSE OF ACTION**  
16 **VIOLATIONS OF THE CALIFORNIA FAIR PAY ACT ON THE BASIS**  
17 **OF RACE OR ETHNICITY**  
**California Labor Code § 1197.5, et seq.**

18 75. Ms. Wong hereby incorporates and realleges each and every preceding paragraph of this  
19 Complaint as if the same were set forth at length herein.

20 76. Intel has discriminated against Ms. Wong in violation of California Labor Code § 1197.5,  
21 *et seq.* by paying her less than similarly situated members of other races or ethnicities who performed  
22 the same or substantially similar work when viewed as a composite of skill, effort, and responsibility,  
23 and which was performed under similar working conditions. Intel so discriminated against Plaintiff by  
24 subjecting her to discriminatory pay, stock opportunities, raises, and/or bonuses, discriminatory denials  
25 of promotions and other advancement opportunities that would result in higher compensation, and other  
26 forms of discrimination in violation of the California Fair Pay Act.

27 77. Intel caused, attempted to cause, contributed to, or caused the continuation of, the wage  
28 rate discrimination based on race or ethnicity in violation of the California Fair Pay Act. Moreover,

1 Intel willfully violated the California Fair Pay Act by intentionally, knowingly, and deliberately paying  
2 Plaintiff less than similarly-situated members of other races or ethnicities.

3 78. As a result of Intel's conduct and/or Intel's willful, knowing and intentional  
4 discrimination, Ms. Wong has suffered and will continue to suffer harm, including but not limited to,  
5 lost earning, lost benefits, and other financial loss, as well as non-economic damages.

6 79. Ms. Wong is therefore entitled to all legal and equitable remedies, including but not  
7 limited to compensatory damages, and liquidated damages.

8 80. The foregoing conduct constitutes a willful violation of the FEHA within the meaning of  
9 Cal. Lab. Code § 1197.5(i). Because Intel has willfully violated the FEHA, a three-year statute of  
10 limitations applies to such violations, pursuant to Cal. Lab. Code § 1197.5(i).

11 81. Attorneys' fees should be awarded under California Labor Code § 1197.5.

12 82. Ms. Wong requests relief as hereinafter provided.

13 **SIXTH CAUSE OF ACTION**  
14 **VIOLATIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT**  
15 **ON THE BASIS OF SEX**  
16 **California Government Code § 12940(a)**

17 83. Plaintiff hereby incorporates and realleges each and every preceding paragraph of this  
18 Complaint as if the same were set forth at length herein.

19 84. Intel has discriminated against Ms. Wong in violation of California Government Code §  
20 12940(a) by paying Plaintiff less than similarly situated members of the opposite sex who performed the  
21 same or substantially similar work when viewed as a composite of skill, effort, and responsibility, and  
22 which was performed under similar working conditions. Intel so discriminated against Plaintiff by  
23 subjecting her to discriminatory pay, stock opportunities, raises, and/or bonuses, discriminatory denials  
24 of promotions and other advancement opportunities that would result in higher compensation, and other  
25 forms of discrimination in violation of the Fair Employment and Housing Act.

26 85. Ms. Wong's sex was a motivating factor for Intel's discriminatory conduct.

27 86. Intel's policies, practices and/or procedures have produced a disparate impact on Ms.  
28 Wong with respect to the terms and conditions of her employment.

87. Intel's conduct is not justified by business necessity or, if it could be justified, there are

1 less discriminatory alternatives to it.

2 88. As a result of Intel's conduct, Ms. Wong has suffered and continues to suffer harm,  
3 including but not limited to, lost earnings, lost benefits, lost future employment opportunities, other  
4 financial loss, as well as non-economic damages.

5 89. Intel's conduct has been intentional, deliberate, willful, malicious, reckless, and  
6 conducted in callous disregard of the rights of Ms. Wong, entitling her to punitive damages.

7 90. By reason of the continuous nature of Intel's discriminatory conduct, which persisted  
8 throughout Ms. Wong's employment, Ms. Wong is entitled to application of the continuing violations  
9 doctrine to all violations alleged herein.

10 91. By reason of Intel's discrimination, Ms. Wong is entitled to all legal and equitable  
11 remedies available for violations of FEHA, including but not limited to, injunctive relief, reinstatement  
12 and an award of compensatory and punitive damages.

13 92. Attorneys' fees should be awarded under California Labor Code § 1197.5.

14 93. Ms. Wong requests relief as hereinafter provided.

15 **SEVENTH CAUSE OF ACTION**  
16 **VIOLATIONS OF THE CALIFORNIA FAIR EMPLOYMENT AND HOUSING ACT**  
17 **ON THE BASIS OF RACE OR ETHNICITY**  
**California Government Code § 12940(a)**

18 94. Plaintiff Wong hereby incorporates and realleges each and every preceding paragraph of  
19 this Complaint as if the same were set forth at length herein.

20 95. Intel has discriminated against Ms. Wong in violation of California Government Code §  
21 12940(a) by paying Plaintiff less than similarly situated employees of other races or ethnicities who  
22 performed the same or substantially similar work when viewed as a composite of skill, effort, and  
23 responsibility, and which was performed under similar working conditions. Intel so discriminated  
24 against Plaintiff by subjecting her to discriminatory pay, stock opportunities, raises, and/or bonuses,  
25 discriminatory denials of promotions and other advancement opportunities that would result in higher  
26 compensation, and other forms of discrimination in violation of the Fair Employment and Housing Act.

27 96. Ms. Wong's race was a motivating factor for Intel's discriminatory conduct.

28 97. Intel's policies, practices and/or procedures have produced a disparate impact on Ms.

1 Wong with respect to the terms and conditions of her employment.

2 98. Intel's conduct is not justified by business necessity or, if it could be justified, there are  
3 less discriminatory alternatives to it.

4 99. As a result of Intel's conduct, Ms. Wong has suffered and continues to suffer harm,  
5 including but not limited to, lost earnings, lost benefits, lost future employment opportunities, other  
6 financial loss, as well as non-economic damages.

7 100. Intel's conduct has been intentional, deliberate, willful, malicious, reckless, and  
8 conducted in callous disregard of the rights of Ms. Wong, entitling her to punitive damages.

9 101. By reason of the continuous nature of Intel's discriminatory conduct, which persisted  
10 throughout Ms. Wong's employment, Ms. Wong is entitled to application of the continuing violations  
11 doctrine to all violations alleged herein.

12 102. By reason of Intel's discrimination, Ms. Wong is entitled to all legal and equitable  
13 remedies available for violations of FEHA, including but not limited to, injunctive relief, reinstatement  
14 and an award of compensatory and punitive damages.

15 103. Attorneys' fees should be awarded under California Labor Code § 1197.5.

16 104. Ms. Wong requests relief as hereinafter provided.

17 **EIGHTH CAUSE OF ACTION**  
18 **RETALIATION IN VIOLATION OF THE CALIFORNIA**  
19 **FAIR EMPLOYMENT AND HOUSING ACT**  
20 **California Government Code § 12940(h)**

21 105. Ms. Wong hereby incorporates and realleges each and every preceding paragraph of this  
22 Complaint as if the same were set forth at length herein.

23 106. Intel unlawfully retaliated against Ms. Wong because Ms. Wong opposed practices  
24 forbidden under FEHA.

25 107. Ms. Wong engaged in protected activity and opposed forbidden practices when she  
26 communicated to her employer and disclosed her belief that they were engaging in employment  
27 discrimination. These communications occurred on multiple occasions.

28 108. Intel then subjected Ms. Wong to an adverse employment action by terminating her from  
her job.

1 109. Ms. Wong's protected activity of opposing the discrimination in pay was a substantial  
2 motivating reason for Intel's decision to terminate Ms. Wong's employment.

3 110. As a result of Intel's conduct, Ms. Wong has suffered and will continue to suffer harm,  
4 included but not limited to: lost earnings, lost benefits, and other financial loss, as well as non-economic  
5 damages.

6 111. Ms. Wong requests relief as hereinafter provided.

7 **NINTH CAUSE OF ACTION**  
8 **WRONGFUL DISCHARGE IN VIOLATION OF PUBLIC POLICY**

9 112. Ms. Wong hereby incorporates and realleges each and every preceding paragraph of this  
10 Complaint as if the same were set forth at length herein.

11 113. Intel unlawfully retaliated against Ms. Wong because she opposed discriminatory pay  
12 practices which violated the public policies against sex and race discrimination in employment.

13 114. Ms. Wong communicated her opposition to Intel's discriminatory pay practices on  
14 multiple occasions to Intel.

15 115. Ms. Wong's opposition to Intel's discriminatory pay practices were a substantial  
16 motivating reason or Intel's decision to discharge Ms. Wong.

17 116. As a result of Intel's conduct, Ms. Wong has suffered and will continue to suffer harm,  
18 included but not limited to: lost earnings, lost benefits, and other financial loss, as well as non-economic  
19 damages.

20 117. Ms. Wong requests relief as hereinafter provided.

21 **TENTH CAUSE OF ACTION**  
22 **VIOLATIONS OF CALIFORNIA'S UNFAIR COMPETITION LAW**  
23 **Business and Profession Code § 17200, et seq.**

24 118. Ms. Wong hereby incorporates and realleges each and every preceding paragraph of this  
25 Complaint as if the same were set forth at length herein.

26 119. Intel is a "person" as defined under California Business & Professions Code § 17201.

27 120. Intel's failure to pay Ms. Wong a non-discriminatory wage constitutes unlawful, unfair  
28 and/or fraudulent activity prohibited by California Business & Professions Code § 17200. As a result of  
its unlawful, unfair acts or fraudulent acts, Intel reaped and continues to reap benefits at the expense of

1 Ms. Wong. Intel should be enjoined from these activities.

2 121. Accordingly, Ms. Wong is entitled to restitution with interest and other equitable relief as  
3 hereinafter provided.

4 **RELIEF REQUESTED**

5 WHEREFORE each Plaintiff prays for judgment against Defendants and, as appropriate to each  
6 cause of action alleged and as appropriate to the standing of Plaintiff, as follows:

- 7 a. All damages sustained as a result of Intel's conduct, including all actual, compensatory,  
8 liquidated, consequential and general damages, including but not limited to damages for  
9 loss of income, including stock options, emotional distress, humiliation, embarrassment,  
10 and anguish, and restitution for back pay according to proof;
- 11 b. Exemplary and punitive damages in an amount commensurate with Intel's ability to pay  
12 and deter future conduct;
- 13 c. Costs incurred herein, including reasonable attorneys' fees to the extent allowable by  
14 law;
- 15 d. Pre-judgment and post-judgment interest, as provided by law; and
- 16 e. Such other and further legal and equitable relief as this Court deems necessary, just, and  
17 proper.

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DEMAND FOR JURY TRIAL

Ms. Wong hereby demands a jury trial in this action for all claims so triable.

DATED: March 30, 2018

By:           /s/ Jennie Lee Anderson            
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