

1 Anna Y. Park, SBN 164242
anna.park@eeoc.gov
2 Nakkisa Akhavan, SBN 236260
nakkisa.akhavan@eeoc.gov
3 Taylor Markey, SBN 319557
taylor.markey@eeoc.gov
4 U.S. EQUAL EMPLOYMENT
5 OPPORTUNITY COMMISSION
6 255 East Temple Street, Fourth Floor
Los Angeles, CA 90012
7 Telephone: (213) 422-8396
8 Facsimile: (213) 894-1301
E Mail: lado.legal@eeoc.gov

9 Attorneys for Plaintiff
10 U.S. EQUAL EMPLOYMENT
11 OPPORTUNITY COMMISSION

12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**

14
15 U.S. EQUAL EMPLOYMENT
16 OPPORTUNITY COMMISSION,

17 Plaintiff,

18 vs.

19 ACTIVISION BLIZZARD, INC., BLIZZARD
20 ENTERTAINMENT, INC., ACTIVISION
21 PUBLISHING, INC., and KING.COM, INC.,
and DOES ONE through TEN, inclusive,

22 Defendants.
23

) Case No.:

) **COMPLAINT—TITLE VII**

-) • **Sexual Harassment**
-) • **Sex Discrimination (Pregnancy)**
-) • **Retaliation**

) **JURY TRIAL DEMAND**

24 **NATURE OF THE ACTION**

25 This is an action under Title VII of the Civil Rights Act of 1964 and Title I of the Civil
26 Rights Act of 1991 to correct unlawful employment practices based on sex and to provide
27 appropriate relief to a class of individuals who were adversely affected by such practices. As set
28 forth with greater particularity in paragraphs 1 to 26 of this Complaint, Plaintiff United States

1 Equal Employment Opportunity Commission (“Plaintiff” or “Commission”) alleges that there
2 have been instances where Defendants Activision Blizzard, Inc., Blizzard Entertainment, Inc.,
3 Activision Publishing, Inc., King.com, Inc., and their subsidiaries (“Defendants”) have subjected
4 a class of individuals to sexual harassment, to pregnancy discrimination and/or to related
5 retaliation under Title VII.

6
7 **JURISDICTION AND VENUE**

8 1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 451, 1331, 1337,
9 1343 and 1345. This action is authorized and instituted pursuant to §§ 706(f)(1) and (3) of Title
10 VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e-5(f)(1) and (3) (“Title VII”)
11 and §102 of the Civil Rights Act of 1991, 42 U.S.C. § 1981a.

12 2. The employment practices alleged to be unlawful cover Defendants’ California
13 facilities and other locations throughout the U.S. Defendants have locations in Texas,
14 Minnesota, New York, Wisconsin, and Arkansas.

15
16 **PARTIES**

17 3. Plaintiff is an agency of the United States of America charged with the
18 administration, interpretation and enforcement of Title VII, and is expressly authorized to bring
19 this action by §§ 706(f)(1) and (3), Title VII, 42 U.S.C. § 2000e-5(f)(1) and (3). The EEOC was
20 created out of the Civil Rights Act of 1964 and tasked by Congress to enforce federal anti-
21 discrimination laws in employment.

22 4. At all relevant times, Defendants have continuously been doing business in
23 California and other locations throughout the United States.

24 5. At all relevant times, Defendant Activision Blizzard, Inc. has continuously been a
25 corporation doing business in the State of California, and continuously had at least 15 employees
26 either jointly or directly.

27 6. At all relevant times, Defendant Blizzard Entertainment, Inc. has continuously
28 been a corporation doing business in the State of California, and continuously had at least 15

1 employees.

2 7. At all relevant times, Defendant Activision Publishing, Inc. has continuously been
3 a corporation doing business in the State of California, and continuously had at least 15
4 employees.

5 8. At all relevant times, Defendant King.com, Inc. has continuously been a
6 corporation doing business in the State of California, and continuously had at least 15
7 employees.

8 9. At all relevant times, Defendant Activision Blizzard, Inc. has continuously been
9 an employer engaged in an industry affecting commerce within the meaning of Sections 701(b),
10 (g), and (h) of Title VII, 42 U.S.C. §§ 2000e(b), (g), and (h).

11 10. At all relevant times, Defendant Blizzard Entertainment, Inc. has continuously
12 been an employer engaged in an industry affecting commerce within the meaning of Sections
13 701(b), (g), and (h) of Title VII, 42 U.S.C. §§ 2000e(b), (g), and (h).

14 11. At all relevant times, Defendant Activision Publishing, Inc. has continuously been
15 an employer engaged in an industry affecting commerce within the meaning of Sections 701(b),
16 (g), and (h) of Title VII, 42 U.S.C. §§ 2000e(b), (g), and (h).

17 12. At all relevant times, King.com, Inc. has continuously been an employer engaged
18 in an industry affecting commerce within the meaning of Sections 701(b), (g), and (h) of Title
19 VII, 42 U.S.C. §§ 2000e(b), (g), and (h).

20 13. All acts and failures to act alleged herein were duly performed by and attributable
21 to all Defendants, each acting as a successor, agent, alter ego, employee, indirect employer, joint
22 employer, integrated enterprise and/or or under the direction and control of the others, except as
23 specifically alleged otherwise. Said acts and failures to act were within the scope of such agency
24 and/or employment, and each Defendant participated in, approved and/or ratified the unlawful
25 acts and omissions by the other Defendants complained of herein. Whenever and wherever
26 reference is made in this Complaint to any act by a Defendant or Defendants, such allegations
27 and reference shall also be deemed to mean the acts and failures to act of each Defendant acting
28 individually, jointly, and/or severally.

1 19. All conditions precedent to the institution of this lawsuit have been fulfilled.

2 20. At all relevant times, Defendants have been a company that creates and distributes
3 video games and other gaming-related content throughout the United States, with Activision
4 Blizzard, Inc., and Activision Publishing, Inc.'s principal places of business in Santa Monica,
5 CA and Blizzard Entertainment's principal place of business in Irvine, CA.

6 21. Since in or around September 2016, there have been instances where Defendants
7 have engaged in unlawful employment practices in violation of §§ 701(k), 703(a) and 704(a) of
8 Title VII, 42 U.S.C. 2000e-2(a) and 2000e-3(a) by subjecting a class of individuals to sexual
9 harassment, to pregnancy discrimination and/or to retaliation.

10 22. Employees were subjected sexual harassment that was severe or pervasive to alter
11 the conditions of employment. The conduct was unwelcome and adversely affected the
12 employees. The Defendants knew or should have known of the sexual harassment of the
13 adversely affected employees.

14 23. Some employees complained about the sexual harassment, but Defendants failed
15 to take corrective and preventative measures. Once Defendants knew or should have known of
16 the sexual harassment of the adversely affected employees, Defendants failed to take prompt and
17 effective remedial action reasonably calculated to end the harassment.

18 24. Defendants discriminated against employees due to their pregnancy that adversely
19 affected the employees.

20 25. Defendants retaliated against employees who engaged in activity protected by
21 Title VII including, but not limited to, rejecting and/or complaining about sexual harassment
22 and/or complaining about pregnancy discrimination. As a result of engaging in such protected
23 activity, employees were subjected to adverse employment actions including discharge or
24 constructive discharge.

25 The unlawful employment practices complained of in paragraphs 20 to 25 above
26 adversely affected employees to suffer damages including emotional distress.

27

28

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.