

Exhibit B

Assigned for all purposes to: Stanley Mosk Courthouse, Judicial Officer: Gregory Keosian

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9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

10 **FOR THE COUNTY OF LOS ANGELES**

11 TRANEKA ECHOLS,

12 Plaintiff,

13 v.

14 ENCOMPASS HEALTH REHABILITATION
15 HOSPITAL OF MURRIETA; ENCOMPASS
16 HEALTH REHABILITATION HOSPITAL
17 OF MURRIETA, LLC; ENCOMPASS
18 HEALTH CORPORATION; HEALTH
19 SOUTH REHABILITATION HOSPITAL OF
20 MURRIETA, LLC;; and DOES 1 through 100,
21 inclusive,

22 Defendants.

CASE NO. 21STCV18896

COMPLAINT FOR DAMAGES

1. RACIAL DISCRIMINATION
2. RACIAL HARASSMETN-HOSTILE WORK ENVIRONMENT
3. DISABILITY DISCRIMINATION IN VIOLATION OF GOVERNMENT CODE SECTION 12940 ET SEQ
4. PERCEIVED DISABILITY DISCRIMINATION IN VIOLATION OF GOVERNMENT CODE SECTION 12940 ET SEQ
5. FAILURE TO INVESTIGATE AND PREVENT DISCRIMINATION AND RETALIATION IN VIOLATION OF GOVERNMENT CODE SECTION 12940 ET SEQ
6. FAILURE TO ENGAGE IN THE INTERACTIVE PROCESS IN VIOLATION OF GOVERNMENT CODE SECTION 12940 ET SEQ
7. FALURE TO ACCOMMODATE IN VIOLATION OF GOVERNMENT CODE SECTION 12940 ET SEQ
8. RETALIATION IN VIOLATION OF GOVERNMENT CODE 12940
9. WRONGFUL TERMINATION IN VIOLATION OF PUBLIC POLICY
10. DEFAMATION

DEMAND FOR JURY TRIAL

28

1 COMES NOW Plaintiff TRANEKA ECHOLS (hereinafter “Plaintiff”) who brings this
2 Complaint against the above-named Defendants and DOES 1 through 100, and each of them, as
3 follows:
4

5 **THE PARTIES**

- 6 1. Plaintiff TRANEKA ECHOLS was hired as The Director Of Business
7 Development. Plaintiff is an African American female. Plaintiff is a resident of the State of
8 California.
- 9 2. Defendant ENCOMPASS HEALTH REHABILITATION HOSPITAL OF
10 MURRIETA; ENCOMPASS HEALTH REHABILITATION HOSPITAL OF
11 MURRIETA, LLC; ENCOMPASS HEALTH CORPORATION [hereinafter
12 “ENCOMPASS DEFENDANTS “ are residents of the State of California and or
13 conducting business in the State of California. HEALTH SOUTH REHABILITATION
14 HOSPITAL OF MURRIETA, LLC. Changed its name to ENCOMPASS HEALTH
15 REHABILITATION HOSPITAL OF MURRIETA, LLC.
16

17 **FACTUAL ALLEGATIONS**

- 18 3. Plaintiff came to work for ENCOMPASS DEFENDANTS at Murrieta California.
19 She brought with her a book of business, clients and vendors whom she had
20 relationships with . Defendants used her for her connections to bring in business.
21 Plaintiff was at all times a qualified injured worker as set forth in Government Code
22 12926, 12940 et seq. Plaintiff was African American. Plaintiff suffered from dyslexia.
23 Due to the constant stress from the hostile work environment and lack of any support
24 from the CEO and Pam Drake, plaintiff was unable to work due to the stress. Her
25 doctor placed her on medical leave for a few days. She was terminated when she
26 returned a few days later from medical leave.
- 27 4. Defendants created and permitted a hostile work environment. Plaintiff was called a
28 “black bitch” and “Oreo”. Pam Drake, plaintiff’s supervisor would make fun of

1 plaintiff's dyslexia and claim that plaintiff had an attitude because of her skin color.
2 Drake would say things like "You think you're all that". Drake would berate her in
3 front of other employees. Plaintiff was assigned a large office, but Drake took it away
4 from her and sent her to a smaller office. Drake went out of her way to degrade
5 plaintiff. Drake was constantly condescending and abusive to plaintiff. When plaintiff
6 complained to Drake about the racist comments, Drake failed to take immediate and
7 corrective action. Instead she ratified and condoned the discrimination and hostile
8 work environment. She told plaintiff to stop complaining and "you need to suck it up
9 and be a big girl". Plaintiff began to suffer stress and stress related symptoms and
10 was placed off work. Plaintiff complained to Human resources. Human resources
11 refused to take any action either. Instead plaintiff was fired in retaliation for
12 complaining and taking medical leave.

- 13 5. Drake would make fun of plaintiff's dyslexia, she told her she needed to read more
14 books, when plaintiff was locked out of her computer one day and asked Drake for
15 help Drake started yelling at her, she called her dyslexic and a fool.
- 16 6. Other people who witnessed Drake's behavior towards plaintiff commented about how
17 abusive she was towards plaintiff. They told her to go to Human Resources to report
18 the abuse.
- 19 7. The hostile work environment and abuse continued for approximately 3 months. It was
20 so severe it caused plaintiff to suffer emotional distress to the point it was causing her
21 physical symptoms. She went to see a doctor who took her off work, she provided her
22 doctors note.
- 23 8. When she was out on leave due to the stress from Drake, an employee called her and
24 told her that they heard she had been fired. Plaintiff called the ENCOMPASS
25 DEFENDANT's corporate offices. They told her to go home and they would look into
26 it. Plaintiff received severance letter on or about December 16,2019.
- 27 9. After plaintiff was terminated, Drake and others at Encompass defamed plaintiff. They
28 talked to Vendors and told them that they fired plaintiff because of poor performance.

1 Plaintiff was not a poor performer this was false. The defamation caused plaintiff
2 injury to her reputation.

3 10. Plaintiff is ignorant of the true names and capacities, whether corporate, associate,
4 individual, or otherwise, of DEFENDANTS sued herein as DOES 1 through 100,
5 inclusive, and therefore sues said Defendants, and each of them, by such fictitious
6 names. Plaintiff will seek leave of court to amend this Complaint to assert the true
7 names and capacities of the fictitiously named Defendants designated as DOES 1
8 through 100, when the same have been ascertained. Plaintiff is informed and believes,
9 and thereon alleges, that each Defendant, designated as a "DOE" herein is legally
10 responsible for the events, happenings, acts, occurrences, indebtedness, damages and
11 liabilities hereinafter alleged and caused injuries and damages proximately thereby to
12 the Plaintiff, as hereinafter alleged.

13 11. Plaintiff is informed and believes, and thereon allege, that at all times relevant herein,
14 each Defendant designated, including Does 1-100, herein was the agent, managing
15 agent, principal, owner, partner, joint venturer, representative, supervisor, manager,
16 alter ego, affiliate, co-employer, joint venturer, servant, employee and/or co-
17 conspirator of each of the other Defendants, and was at all times mentioned herein
18 acting within the course and scope of said agency and employment, and that all acts or
19 omissions alleged herein were duly committed with the ratification, knowledge,
20 permission, encouragement, authorization and consent of each Defendant designated
21 herein.

22 12. Plaintiff is informed and believes and based thereon alleges, that at all times mentioned
23 herein, EMPLOYER DEFENDANTS and Does 1 through 100 and each of them, was
24 the agent, servant, employee, representative, joint venturer, parent, co-employer, alter
25 ego assign, predecessor, manager, agent, managing agent and/or successor of each of
26 the EMPLOYER DEFENDANTS and were at all times material hereto acting within
27 the authorized course and scope of these relationships, and/or that all acts, conduct, and
28 omissions were subsequently ratified by the respective principals and the benefits

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