

1 **GERAGOS & GERAGOS**

2 A PROFESSIONAL CORPORATION
3 LAWYERS

4 HISTORIC ENGINE Co. No. 28
5 644 SOUTH FIGUEROA STREET
6 LOS ANGELES, CALIFORNIA 90017-3411
7 TELEPHONE (213) 625-3900
8 FACSIMILE (213) 625-1600
9 GERAGOS@GERAGOS.COM

10 **MARK J. GERAGOS** SBN 108325
11 **BEN J. MEISELAS** SBN 277412
12 **GREG L. KIRAKOSIAN** SBN 294580
13 **TYLER M. ROSS** SBN 292263

14 **SAMINI SCHEINBERG, PC**
15 **BOBBY SAMINI** SBN 181796
16 **NICOLE PRADO** SBN 269833
17 **MATTHEW M. HOESLY** SBN 289593
18 949 S Coast Dr., Suite 420
19 Costa Mesa, CA 92626
20 Telephone: (949) 724-0900

21 Attorneys for Plaintiff JENNIFER YOUNG

22 **UNITED STATES DISTRICT COURT**
23 **CENTRAL DISTRICT OF CALIFORNIA**

24 **JENNIFER YOUNG, an individual;**
25 **Plaintiff,**

26 vs.

27 **ZILLOW, INC., a Washington**
28 **corporation; and DOES 1 through 50,**
29 **inclusive,**
30 **Defendants.**

CASE NO.: 8:14-CV-01922

COMPLAINT FOR DAMAGES

1. **AGE HARASSMENT;**
2. **AGE DISCRIMINATION;**
3. **DISABILITY DISCRIMINATION;**
4. **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS;**
5. **NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS;**
6. **NEGLIGENT RETENTION AND SUPERVISION;**
7. **RETALIATION;**
8. **WRONGFUL TERMINATION**

DEMAND FOR JURY TRIAL

GERAGOS & GERAGOS, APC
HISTORIC ENGINE Co. No. 28
644 SOUTH FIGUEROA STREET
LOS ANGELES, CALIFORNIA 90017-3411

1 **INTRODUCTION**

2 1. Plaintiff Jennifer Young, a forty-one year-old single mother of two,
3 brings this action against Zillow, Inc., for its conduct in discriminating against her on
4 account of her age and illegally terminating her following her hospitalization caused
5 by the working conditions at Zillow. Specifically, Ms. Young was forced to stand and
6 make cold calls for hours, and prohibited from sitting down despite her physical
7 injuries, in what Zillow referred to as the “blitz” and the “wave.” Additionally, Ms.
8 Young was precluded from professional advancement and promotions because of her
9 age.

10 2. Ms. Young began her employment with Zillow in 2014 and was
11 promised a leadership role in the “Zillow family” with a six figure salary. Prior to her
12 employment at Zillow, Ms. Young had a successful career in sales and was lured to
13 Zillow with promises that Zillow had an exceptional workplace. What Ms. Young
14 found instead, was the exact opposite.

15 3. Ms. Young was quickly exposed to Zillow’s “frat house” and “boys club
16 culture” where binge drinking and the willingness to participate in lewd discourse was
17 rewarded by lucrative assignments in the form of Zillow managers routing incoming
18 calls for potential sales leads.

19 4. As a result of Ms. Young not participating in the conduct described
20 above, Ms. Young’s sales manager would make comments to her during the course of
21 her work day such as “are you too old to close?” and “try to keep up with us.” It was
22 commonplace at the Zillow office for managers to inform employees, including Ms.
23 Young, that if you do not “drink the Zillow kool-aid” there would be no opportunity
24 for career advancement.

25 5. Ultimately, on October 11, 2014, Ms. Young was hospitalized because
26 her preexisting injuries caused by a car accident were exacerbated by the work
27 conditions and work hours at Zillow. Specifically, Ms. Young was required to stay
28 standing for up to three hours at a time, being wholly prohibited from sitting during

GERAGOS & GERAGOS, APC
HISTORIC ENGINE CO. NO. 28
644 SOUTH FIGUEROA STREET
LOS ANGELES, CALIFORNIA 90017-3411

1 these hours by her managers. This practice known as the “blitz” still occurs to this
2 day.

3 6. Ms. Young notified her manager, the human resource department, and
4 the Chief Executive Officer, Spencer Rascoff, of her injuries and provided a doctor’s
5 letter reflecting her hospitalization as Zillow had requested. While she was
6 hospitalized, Ms. Young also requested accommodations for her medical condition
7 upon her return to work. Unbeknownst to Ms. Young, while she was hospitalized,
8 Zillow had reassigned her book of business to other younger inside sales
9 representatives at Zillow. Before Ms. Young could return to work, she was terminated
10 on the pretextual grounds of “job abandonment” due to her hospitalization.

11 7. Ms. Young was yet another victim of the pervasive culture of retaliation
12 and harassment at Zillow that placed a premium on sales and a shortfall on human
13 decency and basic employment rights.

14 **PARTIES**

15 8. Plaintiff Jennifer Young, at all relevant times, was an individual residing
16 in Orange County, California.

17 9. Defendant Zillow, Inc. (NASDAQ: Z), at all relevant times, was a
18 Washington corporation with its headquarters and principal place of business in
19 Seattle, Washington. Zillow is registered to do business in the State of California and
20 maintains an office with over a hundred employees in Orange County, California.
21 Zillow is an online home and real estate marketplace for homebuyers, sellers, renters,
22 real estate agents, mortgage professionals, landlords, and property managers. Zillow
23 claims its database contains more than 110 million U.S. homes. Zillow also operates
24 the largest real estate and rental advertising networks in the country.

25 10. Plaintiff is unaware of the true names and capacities of the Defendants
26 named herein as Does 1 through 50, inclusive, and therefore sues said Defendants by
27 such fictitious names. Plaintiff will seek leave of Court to amend this Complaint to

28 allege the true names and capacities of said Defendants when the same are

GERAGOS & GERAGOS, APC
HISTORIC ENGINE CO. NO. 28
644 SOUTH FIGUEROA STREET
LOS ANGELES, CALIFORNIA 90017-3411

1 ascertained. Plaintiff is informed and believes and thereon alleges that each of the
2 aforesaid fictitiously named Defendants is responsible in some manner for the
3 happenings and occurrences hereinafter alleged, and the Plaintiff's damages and
4 injuries as herein alleged were caused by the conduct of said Defendants.

5 **JURISDICTION AND VENUE**

6 11. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1332
7 because the amount in controversy as to Plaintiff exceeds \$75,000.00 exclusive of
8 interest and costs and because Defendant is incorporated in a state other than the state
9 in which Plaintiff resides and Defendant has its principal place of business and high-
10 level officers which direct, control, and coordinate the corporation's activities from its
11 headquarters in Seattle Washington.

12 12. This Court has supplemental jurisdiction over the remaining common law
13 and state claims pursuant to 28 U.S.C. § 1367.

14 13. Venue is proper in this Court pursuant to 28 U.S.C. § 1391 because a
15 substantial part of the events giving rise to Plaintiff's claims occurred in the Central
16 District of California.

17 **GENERAL ALLEGATIONS**

18 **Age Discrimination**

19 14. Ms. Young began her employment with Zillow as an Inside Sales
20 Consultant on or about May 2014.

21 15. Zillow management routinely and unapologetically subjected Ms. Young
22 to despicable and inappropriate comments concerning Ms. Young's age throughout
23 her employment at Zillow.

24 16. Specifically, Zillow's managers would repeatedly direct comments
25 towards Ms. Young including, but not limited to: (1) "younger people are faster"; (2)
26 "you're too old to close"; (3) "do you even know how to work a computer?"; and (4)
27 "you can't keep up with the rest of us."

GERAGOS & GERAGOS, APC
HISTORIC ENGINE CO. NO. 28
644 SOUTH FIGUEROA STREET
LOS ANGELES, CALIFORNIA 90017-3411

1 17. Zillow managers, employees, and supervisors repeatedly engaged in
2 making these verbally abusive, harassing, and derogatory comments toward Ms.
3 Young with specific reference to her age as well as inabilities on account of her age.
4 Zillow managers and employees also unlawfully denied Ms. Young employment
5 opportunities, participation in Zillow's "sales call-ins", and other benefits of
6 employment based in substantial part on her age without any reasonable justification.

7 18. Although Ms. Young successfully performed her duties and consistently
8 met sales goals and other criteria established by Zillow, younger employees in the
9 same position with less experience and less performance success than Ms. Young
10 were given more favorable treatment. Zillow managers allowed these younger
11 employees to participate in Zillow's "sales call-ins" while denying Ms. Young the
12 same opportunities. When Ms. Young questioned or complained about the ongoing
13 harassment and denial of similar terms and conditions of employment, Zillow
14 managers would make unabashed comments concerning her age, as described above.

15 19. Disturbingly, these types of communications from Zillow management
16 were commonplace during Ms. Young's employment. Ms. Young also witnessed
17 Zillow managers treat other employees over the age of forty similarly. Indeed, the
18 Zillow office culture in Southern California has been described as an "adult frat
19 house" where age discrimination and other forms of harassment are normalized,
20 condoned, and promoted by Zillow's management.

21 **Ms. Young's Hospitalization and Termination**

22 20. Zillow management had a policy of refusing employees' requests for
23 legally-required meal and rest periods in violation of California Labor Codes section
24 226.7 and 512. Ms. Young and other employees were regularly required to remain in
25 the building during their meal and rest breaks and were required work at their desks
26 during lunch.

27 21. Zillow also had the unlawful policy of randomly designating specific
28 hours of the day, which Zillow management would call "the wave" or "the blitz" in

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.