

EXHIBIT 1

**SUMMONS
(CITACION JUDICIAL)**

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

**NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):**

Walgreen Co., an Illinois corporation; and Does 1-10, inclusive,

**YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

Madelaine Esquibel, an individual,

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:
(El nombre y dirección de la corte es): Superior Court of California, County of Orange

CASE NUMBER:
(Número del Caso): 30-2021-01204683-CU-WT-CJC

Central Justice Center
700 Civic Center Drive W., Santa Ana, CA 92701

Judge Derek W. Hunt

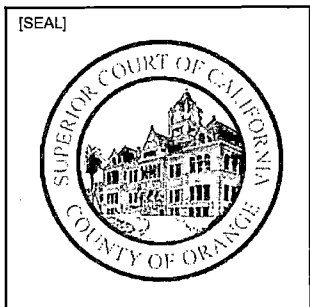
The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

KING & SIEGEL LLP, 724 S. Spring Street, Suite 201, Los Angeles, CA 90014; 213-465-4802

06/08/2021

DATE: DAVID H. YAMASAKI, Clerk of the Court Clerk, by Jessica Duarte Deputy
(Fecha) (Secretario) (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).



NOTICE TO THE PERSON SERVED: You are served

1. as an individual defendant.
2. as the person sued under the fictitious name of (specify):
3. on behalf of (specify): Walgreen Co., an Illinois corporation
 under: CCP 416.10 (corporation) CCP 416.60 (minor)
 CCP 416.20 (defunct corporation) CCP 416.70 (conservatee)
 CCP 416.40 (association or partnership) CCP 416.90 (authorized person)
 other (specify):
4. by personal delivery on (date):

1 Julian Burns King (Bar No. 298617)
julian@kingsiegel.com

2 John L. Schwab (Bar No. 307599)
3 john@kingsiegel.com

4 **KING & SIEGEL LLP**
724 S. Spring Street, Suite 201
5 Los Angeles, California 90014
6 tel: (213) 465-4802
fax: (213) 465-4803

7 Attorneys for Plaintiff Madelaine Esquibel

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

9 **FOR THE COUNTY OF ORANGE**

10
11 **Madelaine Esquibel, an individual,**

12
13 Plaintiff,

14 vs.

15 **Walgreen Co., an Illinois corporation; and**
16 **Does 1-10, inclusive,**

17 Defendant.

CASE NO. 30-2021-01204683-CU-WT-CJC

Assigned for All Purposes Judge Derek W. Hunt

COMPLAINT FOR:

- 1) **Pregnancy Discrimination in Violation of FEHA;**
- 2) **Interference in Violation of the PDLL;**
- 3) **Retaliation in Violation of FEHA and the PDLL;**
- 4) **Failure to Accommodate in Violation of FEHA and the PDLL**
- 5) **Failure to Engage in the Interactive Process in Violation of FEHA and the PDLL;**
- 6) **Failure to Prevent Discrimination and Retaliation in Violation of FEHA;**
- 7) **Associational Disability Discrimination in Violation of FEHA;**
- 8) **Wrongful Termination in Violation of Public Policy**

Demand for Jury Trial

28

1 Plaintiff Madelaine Esquibel, by and through her attorneys, complains and alleges as
2 follows:

3 INTRODUCTION

4 1. Plaintiff Madelaine Esquibel (“Plaintiff” or “Ms. Esquibel”), a single mother
5 of a disabled child, worked for Defendant Walgreen Co. (“Walgreens” or the “Company”)
6 in Santa Ana from June 2018 and January 2021. She was a loyal, hardworking employee who
7 received nothing but positive feedback about her work performance from her supervisors and
8 managers.

9 2. In November 2020, Ms. Esquibel learned that she was pregnant with a second
10 child. Doctors classified her pregnancy as high-risk due to a previous preterm birth. When
11 she informed Walgreens of her pregnancy, no one from the company notified her of her right
12 to accommodations. She was forced to desperately scour the Walgreen’s website for infor-
13 mation.

14 3. In early December 2020, she asked her store manager, Shane Chang, for a
15 modified schedule starting in January 2021 so that she could receive weekly injections for her
16 pregnancy and take her disabled daughter to speech therapy appointments. Mr. Chang sum-
17 marily denied her request, stating that she should instead consider working “*part-time*” or
18 take “*leave*.” When she asked her assistant manager to be accommodated so that she did not
19 have to engage in heavy lifting, he told her she was just “*being lazy*” and “*taking advantage*”
20 of her pregnancy.

21 4. Ms. Esquibel continued to work her regular shifts without accommodations,
22 even after she contracted a urinary tract infection (UTI) because she was denied breaks to use
23 the bathroom. Ms. Esquibel turned in yet another doctor’s note to prevent this from happen-
24 ing again. Her doctor requested on her behalf a modified schedule, including extra time to use
25 the bathroom.

26 5. Within a week a turning in the doctor’s note, on January 9, 2021, the Company
27 terminated her employment for alleged “misconduct.” When she asked for details of the al-
28 leged misconduct, the Company claimed it could not provide any. A manager vaguely alluded

1 to a policy regarding the “merchandise bay,” which employees were allowed to use to set aside
2 items that they intended to buy.

3 6. In reality, Ms. Esquibel’s manager was frustrated with her pregnancy and requests
4 for accommodation, and seized a flimsy opportunity to pretextually justify her termination. This law-
5 suit seeks redress for Walgreens’ blatant violations of California law.

6 **PARTIES**

7 7. Plaintiff **Madelaine Esquibel** (“Plaintiff” or “Ms. Esquibel”) was a hardwork-
8 ing and dedicated hourly employee of Walgreens from June 2018 until her wrongful termina-
9 tion in January 2021. At all times relevant to this Complaint, she was a resident of Orange
10 County.

11 8. Defendant **Walgreen Co.** (“Walgreen”) is an Illinois corporation registered to
12 do business in the State of California. Walgreen operates the second-largest pharmacy store
13 chain in the United States and, according to its website, is a “global leader in retail and whole-
14 sale pharmacy”

15 9. Plaintiff does not currently know the names and true identities of Defendant
16 **Does 1 through 10**. Ms. Esquibel reserves the right to amend this Complaint to allege their
17 true names and capacities when this information is available. Each Doe defendant is respon-
18 sible for the damages alleged pursuant to each of the causes of action asserted, either through
19 its own conduct, or vicariously through the conduct of others. All further references in this
20 complaint to any of the named Defendant includes the fictitiously-named Defendant.

21 10. At all times alleged in the complaint, each Defendant was an agent, servant,
22 joint employer, employee, partner, and/or joint venture of every other Defendant and was
23 acting within the scope of the Defendant’ relationship. Moreover, the conduct of every De-
24 fendant was ratified by each other Defendant.

25 **VENUE AND JURISDICTION**

26 11. The Court has jurisdiction over all causes of action in this complaint pursuant
27 to Article VI, section 10 of the California Constitution. No federal question is at issue; Ms.
28 Esquibel relies solely on California statutes and law.

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