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ELIZABETH SUE PETERSEN, MARILYN
CLARK, AND MANJARI KANT on behalf of
themselves and all others similarly situated

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN MATEO

RONG JEWETT, SOPHY WANG, XIAN MURRAY, ELIZABETH SUE PETERSEN, MARILYN CLARK, AND MANJARI KANT individually and on behalf of all others similarly situated,
 	
        Plaintiffs,
 	
    v.
 	
ORACLE AMERICA, INC.,
 	
        Defendant.
	Case No.: 17-CIV-02669
	
	FOURTH AMENDED CLASS ACTION COMPLAINT
	
	1. Violation of California Equal Pay Act, as amended (Labor Code §§1197.5, 1194.5)
	2. Failure to Pay All Wages Due to Discharged and Quitting Employees (Labor Code §§201-203, 1194.5)
	3. Unfair and Unlawful Business Practices (Bus. & Prof. Code §17200 *et seq.*)
	4. Declaratory Judgment (C.C.P. §1060 *et seq.*)
	5. Penalties under the Labor Code Private Attorneys General Act (Labor Code §§2698-2699.5)
	
	JURY TRIAL DEMANDED

Plaintiffs Rong Jewett, Sophy Wang, Xian Murray, Elizabeth Sue Petersen, Marilyn Clark, and Manjari Kant (collectively "Plaintiffs"), individually and on behalf of all others similarly situated, are informed and believe, and thereon allege, as follows:

INTRODUCTION

1.   Plaintiffs bring this class action on behalf of themselves and on behalf of a class defined as all women employed by Defendant Oracle America, Inc. ("Oracle" or "Defendant") in California at any time during the time period beginning four years prior to the filing of the original Complaint in this action through the date of trial in this action ("Class Period") in Information Technology, Product Development, or Support job functions ("Covered Positions").

2.   Throughout the Class Period and throughout California, Oracle has discriminated against its female employees by systematically paying them lower wage rates than Oracle pays to male employees performing equal and substantially similar work under similar working conditions, in violation of the California Equal Pay Act, Cal. Labor Code §1197.5, as amended. Oracle's failure to pay women and men equal wages for performing equal and substantially similar work is not justified by any lawful reason.

3.   At all relevant times, Oracle has known or should have known of this pay disparity between its female and male employees, yet Oracle has taken no action to equalize men and women's pay for equal and substantially similar work. Oracle's failure to pay female employees the same wage rates paid to male employees for equal and substantially similar work has been and is willful.

4.   As a result of Oracle's discriminatory and unlawful pay policies and/or practices, Plaintiffs and class members have been denied fair wages for all work performed during the Class Period and are entitled to wages due, interest thereon, and liquidated damages, plus interest. In addition to damages, Plaintiffs also seek declaratory and injunctive relief enjoining Oracle from continuing to pay women less than men for substantially similar work.

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JURISDICTION AND VENUE

5.   This Court has jurisdiction over this matter because Defendant is a corporation that maintains its headquarters in California, is licensed to do business in California, regularly conducts business in California, and committed and continues to commit the unlawful acts alleged herein in California.

6.   Venue is proper in this Court pursuant to California Code of Civil Procedure §§395 and 395.5 because Defendant is a corporation that maintains its headquarters in the County of San Mateo and because a substantial part of the unlawful acts alleged herein occurred and continue to occur in this County.

PARTIES

7.   Plaintiff Rong Jewett is a woman who was employed by Oracle as an application engineer (also known as "application developer") and senior application engineer (also known as "senior application developer"), which are both Covered Positions, at Oracle's headquarters located in Redwood Shores from approximately April 2012 to approximately July 2016. Plaintiff Jewett and male employees in the same establishment performed equal work on jobs the performance of which required equal skill, effort, and responsibility, and which were performed under similar working conditions, from at least the beginning of the class period through December 31, 2015. Plaintiff Jewett and male employees performed substantially similar work, when viewed as a composite of skill, effort, and responsibility, and performed under similar working conditions, from at least January 1, 2016 until the end of Plaintiff Jewett's employment. On information and belief, Oracle paid Plaintiff Jewett less than men for equal work through December 31, 2015, and for substantially similar work from January 1, 2016 until the end of Plaintiff Jewett's employment.

8.   Plaintiff Sophy Wang is a woman who was employed by Oracle as an application engineer (also known as "application developer"), senior application engineer (also known as "senior application developer"), project lead, and principal application engineer (also known as "principal application developer"), which are all Covered Positions, at Oracle's headquarters located in Redwood Shores from approximately October 2008 to approximately March 2017. Plaintiff

of which required equal skill, effort, and responsibility, and which were performed under similar working conditions, from at least the beginning of the class period through December 31, 2015. Plaintiff Wang and male employees performed substantially similar work, when viewed as a composite of skill, effort, and responsibility, and performed under similar working conditions, from at least January 1, 2016 until the end of Plaintiff Wang's employment. On information and belief, Oracle paid Plaintiff Wang less than men for equal work through December 31, 2015, and for substantially similar work from January 1, 2016 until the end of Plaintiff Wang's employment.

9.   Plaintiff Xian Murray is a woman who was employed by Oracle as a software engineer, senior engineer, and project lead, which are all Covered Positions, at Oracle's headquarters located in Redwood Shores from approximately March 2011 through approximately October 2016. Plaintiff Murray and male employees in the same establishment performed equal work on jobs the performance of which required equal skill, effort, and responsibility, and which were performed under similar working conditions, from at least the beginning of the class period through December 31, 2015. Plaintiff Murray and male employees performed substantially similar work, when viewed as a composite of skill, effort, and responsibility, and performed under similar working conditions, from at least January 1, 2016 until the end of Plaintiff Murray's employment. On information and belief, Oracle paid Plaintiff Murray less than men for equal work through December 31, 2015, and for substantially similar work from January 1, 2016 until the end of Plaintiff Murray's employment.

10.   Plaintiff Elizabeth Sue Petersen is a woman who was employed by Oracle as a Senior Technical Support Engineer from 2005 to 2015 and a Principal Technical Support Engineer from 2015 to May 2018. Both Senior Technical Support Engineer and Principal Technical Support Engineer are Covered Positions in Oracle's Support job function. Before beginning work for Oracle, Ms. Petersen was employed by PeopleSoft Corp., which was acquired by Oracle. When Oracle acquired PeopleSoft, Ms. Petersen became an employee of Oracle. Oracle paid Ms. Petersen as an initial salary the salary she had been making at PeopleSoft. Ms. Petersen worked in Oracle's Pleasanton office for several years, worked from home for a period of time, and worked out of Oracle's Santa Clara office. Plaintiff Petersen and male employees in the same establishment

responsibility, and which were performed under similar working conditions, from at least the beginning of the class period through December 31, 2015. Plaintiff Petersen and male employees performed substantially similar work, when viewed as a composite of skill, effort, and responsibility, and performed under similar working conditions, from at least January 1, 2016 until the end of Plaintiff Petersen's employment. Oracle paid Petersen less than men for equal work through December 31, 2015, and for substantially similar work from January 1, 2016 until the end of Plaintiff Petersen's employment.

11.   Plaintiff Marilyn Clark is a woman who is employed by Oracle as a Database Administrator 3 from March 2006 through February 2007 and as a Database Administrator 4 (a.k.a. Principal Database Administrator) from March 2007 through September 2015, when she retired. Both Database Administrator 3 and Database Administrator 4 are Covered Positions in Oracle's Information Technology job function. Before beginning work for Oracle, Ms. Clark was employed by PeopleSoft Corp., which was acquired by Oracle. When Oracle acquired PeopleSoft, Ms. Clark became an employee of Oracle. Oracle paid Ms. Clark as an initial salary the salary she had been making at PeopleSoft. Ms. Clark worked in Oracle's Pleasanton, California office. Plaintiff Clark and male employees in the same establishment performed equal work on jobs the performance of which required equal skill, effort, and responsibility, and which were performed under similar working conditions, from at least the beginning of the class period through September 30, 2015, when she retired. Oracle paid Plaintiff Clark less than men for equal work through September 30, 2015.

12.   Plaintiff Manjari Kant is a woman who was employed by Oracle as Software QA Engineer (10820 QA Analyst 2 IC2, March 2005 – August 2005); Senior Software QA Engineer (10830 QA Analyst 3 IC3, Sept 2005-July 2006); Principle Software QA Engineer (10840 QA Analyst 4 IC4, July 2006- June 2014); and Senior Principle Software QA Engineer (10841 QA Analyst 5 IC5, June 2014-June 2017) in Oracle's Product Development Function. Before beginning work at Oracle, Ms. Kant was employed by PeopleSoft Corp., which was acquired by Oracle. When Oracle acquired PeopleSoft, Ms. Kant became an employee at Oracle. Oracle paid Ms. Kant as an

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