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FILED

SUPERIOR COURT OF CALIFORNIA
 COUNTY OF ORANGE
 CENTRAL JUSTICE CENTER

MAR 20 2009

ALAN CARLSON, Clerk of the Court
[Signature]
 BY D DUNNING

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 6 MARIA JIMENEZ

7 STATE OF CALIFORNIA
 8 COUNTY OF ORANGE, CENTRAL JUSTICE CENTER

30-2009

10 MARIA JIMENEZ, an individual,	)	Case No.:	00120392
11 Plaintiff,	)	COMPLAINT FOR DAMAGES	
12 vs.	)	1. Wrongful Discharge	
13 KOBE BRYANT, an individual;	)	2. Invasion of Privacy	
14 VANESSA BRYANT, an individual;	)	3. Intentional Infliction of	
15 KOBE FAMILY ENTERTAINMENT,	)	Emotional Distress	
16 INC., a California corporation;	)	4. Breach of Contract	
and DOES 1 through 10,	)	5. Unpaid Wages (Overtime)	
17 inclusive,)		
18 Defendants.)		
	)	JUDGE KIRK H. NAKAMURA	
	)	DEPT. C4	

19 Plaintiff MARIA JIMENEZ (hereafter "MARIA" or the
 20 "Plaintiff"), alleges against Defendants KOBE BRYANT (hereafter
 21 "KOBE"), VANESSA BRYANT (hereafter "VANESSA") and KOBE FAMILY
 22 ENTERTAINMENT (hereafter "KFE") as follows:

- 23 1. Plaintiff is a competent adult and at all times mentioned
 24 herein was a resident of Orange County, California.
- 25 2. Plaintiff is informed and believes, and based upon such
 26 information and belief alleges, that Defendants KOBE and VANESSA
 27 (collectively "the BRYANTS") are and at all times mentioned herein
 28 were competent adults and residents of Orange County, California.

1 3. Plaintiff is informed and believes, and thereon alleges, that
2 the Defendant KFE is and at all times mentioned herein was a
3 California corporation doing business in Orange County, California.

4 4. Plaintiff alleges that the true names or capacities, whether
5 individual, corporate, associate, or otherwise of the Defendants, DOES
6 1 through 10, inclusive, are unknown to Plaintiff, and therefore sues
7 said Defendants by such fictitious names. Plaintiff is informed and
8 believes and, based upon such information and belief, alleges that
9 each of the Defendants designated herein as a DOE is legally
10 responsible in some manner for the events and happenings hereinafter
11 referred to, and caused the injuries and damages proximately thereby
12 as hereinafter alleges. Plaintiff will seek leave of this Court to
13 amend this complaint to show the true names and capacities of the
14 Defendants designated as a DOE when the same have been ascertained.

15 5. Plaintiff is informed and believes, and based upon such
16 information and belief, alleges that, at all times mentioned
17 herein, each of the Defendants was the agent, servant, and
18 employee of the remaining Defendants, and at all times was
19 acting within the course and scope of said agency and
20 employment.

21 6. Plaintiff is informed and believes and, based on such
22 information and belief, alleges that the breach of contract and
23 tortuous behavior giving rise to this lawsuit occurred in Orange
24 County, California.

25 7. Plaintiff is informed and believes and, based on such
26 information and belief, alleges that this Court is the proper venue
27 for trial because any and all the causes of action accrued here,
28 Defendant's place of business is located here, Defendants reside here,

1 the contract was entered into here, witnesses are located here and the
2 breach occurred here.

3 8. Plaintiff is informed and believes and, based on such
4 information and belief, alleges that this Court is the proper
5 jurisdiction for trial because any and all the causes of action
6 accrued here, Defendants reside here, the contract was entered into
7 here, witnesses are located here and the breach occurred here.

8 I.

9 FACTS COMMON TO ALL CLAIMS

10 9. MARIA, a professional housekeeper, worked for the
11 Defendants at the BRYANTS' home in Orange County, California,
12 from September 2007 to March 22, 2008. The Defendants employed
13 MARIA to work full-time performing a variety of tasks, including
14 cleaning their house, washing their laundry and cleaning up
15 after their children.

16 10. MARIA did not reside in the BRYANTS' home, but worked
17 there six days a week, ten to twelve hours a day.

18 II.

19 FIRST CAUSE OF ACTION FOR WRONGFUL DISCHARGE

20 (Against all Defendants)

21 11. About two weeks after MARIA started working for the
22 Defendants, VANESSA began a continuing pattern of verbally
23 abusing and demeaning her. VANESSA badgered, harassed and
24 humiliated MARIA by yelling and screaming at MARIA and
25 criticizing her in front of KOBE, the BRYANTS' children,
26 employees and other people in the household.

27 12. MARIA told KOBE that she wanted to quit because of
28 VANESSA's abusive conduct, but KOBE persuaded her to stay on the

1 job. Through KOBE's intervention, VANESSA apologized for her
2 behavior and MARIA continued working for the DEFENDANTS for
3 another seven months.

4 13. During this time, however, VANESSA resumed her pattern
5 of continuously yelling and screaming and humiliating MARIA by
6 criticizing her efforts to clean the house and by forcing her to
7 perform demeaning tasks. Among other abusive comments, VANESSA
8 called MARIA "lazy," "slow," "dumb," "a f---ing liar" and "f---
9 ing sh-t."

10 14. On one occasion, VANESSA screamed at MARIA after one of
11 the BRYANTS' children came to MARIA for comfort because the
12 child didn't feel well. "I don't want you to touch my baby. I
13 hired you for housekeeping, not babysitting," VANESSA said. "F--
14 -ing sh-t, you don't listen."

15 15. On another occasion, VANESSA criticized MARIA after she
16 complained about her workload and not having breaks. VANESSA
17 said that MARIA, who was working sixty hours a week, was lazy.
18 "You haven't done anything," VANESSA said.

19 16. On another occasion, VANESSA belittled MARIA after
20 MARIA said she was suffering from an injury. VANESSA said MARIA
21 was just "slow."

22 17. On another occasion, VANESSA derided MARIA after MARIA
23 said she needed to see a doctor but the BRYANTS had not paid for
24 her medical insurance. "You're a f---ing liar," VANESSA said.

25 18. On other occasions, VANESSA suggested that MARIA had
26 stolen things from the BRYANTS, such as clothing, a toy and
27 other personal items. VANESSA even implied that MARIA had stolen
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1 VANESSA's retainer. "You are responsible for everything in this
2 house that is missing," VANESSA said.

3 19. VANESSA also demeaned and humiliated MARIA by making
4 her clean up animal droppings around the house. Even when MARIA
5 was off work each Sunday, VANESSA left dog feces on the floor
6 for MARIA to pick up when she returned to work on Monday.

7 20. On the final incident, VANESSA screamed at MARIA for
8 putting an expensive blouse in the BRYANTS' clothes washer. Then
9 VANESSA demanded that MARIA put her hand in a bag of dog feces
10 to retrieve the price tag for the blouse.

11 21. MARIA refused and told VANESSA she was quitting, but
12 VANESSA demanded that she pay for the blouse first. MARIA said
13 she had to work until payday to pay for the \$690 blouse, which
14 she did.

15 22. As a result of these intolerable working conditions,
16 MARIA was constructively discharged from her job. She has
17 suffered damages, including but not limited to general damages
18 for being continually humiliated, demeaned, ridiculed and
19 harassed.

20 23. As a result of these illegal acts, MARIA was
21 constructively discharged in violation of public policy. On the
22 final incident, she was ordered to put her hand in dog feces in
23 violation of California statutes ensuring employee health and
24 safety, including California Labor Code Sections 6400 et seq.

25 24. Before filing this complaint in the Superior Court,
26 MARIA exhausted her administrative remedies by filing a
27 complaint for constructive discharge with the California
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1 Department of Fair Employment and Housing. The DFEH then issued
2 MARIA a Right-to-Sue Notice.

3 III.

4 SECOND CAUSE OF ACTION FOR INVASION OF PRIVACY

5 (Against all Defendants)

6 25. Plaintiff realleges and incorporates by reference the
7 allegations set forth in paragraphs 1 through 24.

8 26. After the BRYANTS hired MARIA, she learned that they
9 had implemented extensive security measures at their home. MARIA
10 was not allowed to have a cell phone or camera. She was not
11 allowed to make personal calls.

12 27. MARIA also observed that the BRYANTS had video cameras
13 in various areas of the residence, enabling them to watch her
14 inside and outside the house. On several occasions, MARIA is
15 informed and believes and thereon alleges, VANESSA watched her
16 on such cameras and based on such surveillance accused MARIA of
17 stealing from the BRYANTS.

18 28. On one occasion, VANESSA approached MARIA about a
19 blouse that MARIA had worn. VANESSA implied that MARIA had
20 stolen it, when in fact MARIA had brought the blouse from her
21 own home and changed into it inside the BRYANTS' house.

22 29. MARIA is informed and believes, and thereon alleges,
23 that VANESSA seriously invaded her privacy by watching her on
24 video cameras when MARIA believed she had a reasonable
25 expectation of privacy to change her own blouse.

26 30. As a result, MARIA has suffered emotional distress and
27 general damages for invasion of privacy under Article 1, Section
28 1 of the California Constitution.

1 IV.

2 THIRD CAUSE OF ACTION

3 FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

4 (Against all Defendants)

5 31. Plaintiff realleges and incorporates by reference the
6 allegations set forth in paragraphs 1 through 30.

7 32. MARIA is informed and believes, and thereon alleges,
8 that VANESSA intentionally humiliated and demeaned her because
9 VANESSA thought she was better than MARIA. She alleges that
10 VANESSA became conceited with her wealth and fame, and so she
11 looked down on her hired help.

12 33. MARIA alleges that VANESSA called her "a f---ing liar,"
13 "f---ing sh-t," "slow," "dumb" and "lazy" because VANESSA
14 thought she was better than her housekeeper. MARIA alleges that
15 VANESSA ordered MARIA to put her hand in dog feces because she
16 thought could mistreat her poor, hired help.

17 34. MARIA alleges that VANESSA's conduct was extreme and
18 outrageous, subjecting her to severe emotional distress,
19 including feelings of inferiority and shame. MARIA alleges that
20 VANESSA's ordering her to put her hand in dog feces was
21 outrageous per se as a violation of health and safety laws.

22 35. As a result, MARIA alleges that she is entitled to
23 general damages for her emotional distress and punitive damages
24 to punish VANESSA for her intentional conduct.

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V.

FOURTH CAUSE OF ACTION FOR BREACH OF CONTRACT

(Against all Defendants)

36. Plaintiff realleges and incorporates by reference the allegations set forth in paragraphs 1 through 35.

37. MARIA took the job with the BRYANTS because they promised to pay her \$50,000 a year and to provide medical insurance for herself and her family.

38. About four months after she started working for the Defendants, MARIA was diagnosed with an ovarian cyst. She then contacted the insurance company that the BRYANTS had promised would provide her medical insurance benefits.

39. MARIA learned that in fact the BRYANTS had not paid for her medical insurance, and she complained to VANESSA about it. MARIA also complained because she needed medical treatment for injuries she suffered when she fell and hurt her back. VANESSA responded by calling MARIA "a f---ing liar."

40. 40. After MARIA was constructively discharged from her job, she inquired again about her medical insurance and learned that the BRYANTS never paid for it. As her condition worsened, MARIA had to have surgery to remove the ovarian cyst at a cost of more than \$120,000 without insurance to pay for it. She also incurred more than \$7,000 in medical bills for medical treatment and physical therapy for her back.

41. MARIA alleges that the BRYANTS breached their employment agreement to provide medical benefits, costing her special damages of more than \$127,000. MARIA also suffered

1 general damages from the resulting pain, suffering and stress
2 she endured.

3 42. MARIA also alleges that the BRYANTS violated state and
4 federal laws protecting her rights to medical insurance,
5 including the Health Insurance Portability and Accountability
6 Act, 42 U.S.C. Sec. 300gg; California Health and Safety Code
7 Section 130301; and California Labor Code Sections 90.3, 3700
8 and 4150.

9 VI.

10 FIFTH CAUSE OF ACTION FOR UNPAID WAGES AND ATTORNEY'S FEES

11 (Against all Defendants)

12 43. Plaintiff realleges and incorporates by reference the
13 allegations set forth in paragraphs 1 through 42.

14 44. MARIA worked ten to twelve hours a day, six days a
15 week, for the Defendants. She was not paid any overtime for her
16 labors, and she accumulated about 500 overtime hours.

17 45. When MARIA was constructively discharged from her job,
18 VANESSA withheld \$690 from MARIA's final paycheck by demanding
19 that she pay for damage to a blouse. As a result of the
20 Defendants' withholding pay and not paying overtime wages, MARIA
21 has suffered special damages for unpaid overtime and waiting
22 time penalties of more than \$20,000.

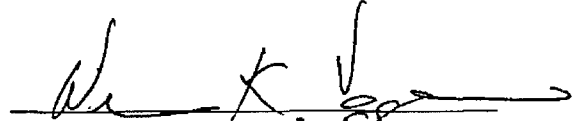
23 46. In addition, MARIA alleges that she is entitled to
24 attorney's fees for these labor code violations under Labor Code
25 Section 203 and Industrial Welfare Commission Order No. 15-2001.

26 THEREFORE, Plaintiff prays for judgment against Defendants
27 as follows:

28 A. For general damages in an amount to be proven at trial;

- 1 B. For punitive damages in an amount to be proven at trial;
2 C. For special damages in an amount to be proven at trial;
3 D. For unpaid overtime wages and waiting time penalties;
4 E. For attorney's fees and costs pursuant to statute;
5 F. For such further relief as the court may deem proper.

6 Dated: March 20, 2009

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9 William K. Vogeler
10 Gruenbeck & Vogeler
11 Attorneys for Plaintiff
12 MARIA JIMENEZ
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