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ORIGINAL FILED
Superior Court of California
County of Los Angeles

MAR 14 2017

Sherri R. Carter, Executive Officer/Clerk
By Nancy Alvarez, Deputy

7 **Attorneys for Plaintiff, MAHIM KHAN**

8
9 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 FOR THE COUNTY OF LOS ANGELES

11 **BC 6 5 4 0 1 7**

12 MAHIM KHAN,

13 Plaintiff,

14 vs.

15 HOLOGRAM USA, INC.; ALKI DAVID
16 PRODUCTIONS, INC.; FILMON TV, INC.;
17 ALKIVIADES ("ALKI") DAVID, an
18 individual and DOES 1 through 25,
19 inclusive,

20 Defendants.

) CASE NO:

) **COMPLAINT FOR DAMAGES**

) 1. EMPLOYMENT DISCRIMINATION-
) SEX HARASSMENT
) (Violation of Gov't Code §12940 et seq.)

) 2. VIOLATION OF THE CALIFORNIA
) RALPH ACT - FREEDOM FROM
) VIOLENCE OR INTIMIDATION
) (Civ. Code 51.7)

) 3. CONSTRUCTIVE TERMINATION
) (Violation of Gov't Code §12940 et seq.)

) 4. SEXUAL BATTERY

) 5. BATTERY

) 6. WRONGFUL CONSTRUCTIVE
) TERMINATION IN VIOLATION OF
) PUBLIC POLICY

21 **JURY TRIAL DEMANDED**

COPY

FILED

1 was a resident of the County of Los Angeles. Plaintiff is informed and believes that at all
2 relevant times herein Defendant DAVID was Defendants' Hologram, Alki David Productions'
3 and FilmOn's President and CEO and as such, a managing agent of Defendants Hologram, Alki
4 David Productions, and FilmOn.

5 7. The true names and capacities, whether individual, associate or otherwise, of
6 Defendants sued herein as DOES 1 through 25, inclusive, are currently unknown to Plaintiff Ms.
7 Khan, who therefore sues said Defendants by such fictitious names. Plaintiff Ms. Khan is
8 informed and believes, and based thereon alleges, that each of the Defendants designated herein
9 as a DOE is legally responsible in some manner for the events and happenings referred to herein,
10 and caused injury and damage proximately thereby to Plaintiff as hereinafter alleged. Plaintiff
11 will seek leave of Court to amend this complaint to show the true names and capacities of the
12 Defendants designated herein as DOES when the same have been ascertained.

13 8. Whenever in this complaint reference is made to "Defendants, and each of them,"
14 such allegation shall be deemed to mean the acts of Defendants acting individually, jointly,
15 and/or severally.

16 9. Plaintiff is informed and believes, and based thereon alleges, that at all times
17 mentioned herein, each of the Defendants was the agent, servant and employee, co-venturer and
18 co-conspirator of each of the remaining Defendants, and was at all times herein mentioned,
19 acting within the course, scope, purpose, consent, knowledge, ratification and authorization of
20 such agency, employment, joint venture and conspiracy.

21 10. Ms. Khan is 33 years of age, and has worked in the entertainment industry for
22 approximately 7 years. On or around October 3, 2014 Ms. Kahn began working for Defendants
23 Hologram USA, Alki David Productions, and FilmOn. In addition to her duties as a Production
24 Assistant, Ms. Khan's duties and responsibilities also included assisting Defendant David.
25 However, because of Defendant David's travel schedule she had minimal interactions with him
26 until December 2014.

27 11. Beginning in December 2014 and continuing until Plaintiff was forced to
28 constructively terminate her employment, when Defendant David was working in the office he

1 would regularly come into Plaintiff's cubicle, walk to where she was sitting and swivel her chair
2 around until her body faced him. Defendant David would then thrust his pelvic area into her face
3 and tilt his head backwards and begin making moaning sounds as though simulating that he was
4 having sex. When he finished he swiveled her chair back toward her desk and appeared to zip up
5 his pants and/or buckle his belt saying "Thanks MK" as he walked away. Plaintiff was
6 humiliated and frightened by this behavior.

7 12. On approximately five separate occasions, the first time being in December 2014,
8 the following unlawful conduct took place: Defendant David requested that Plaintiff Khan come
9 to his office to discuss work related matters. As he showed her something on his computer he
10 reached over and began rubbing Plaintiff Khan's inner thigh. On one of the occasions two co-
11 workers were also in the office. Plaintiff Khan was humiliated by this conduct and immediately
12 pulled away from Defendant David.

13 13. In or around January/February 2015, Plaintiff was meeting with Defendant David
14 and a male client in a conference room. When Plaintiff stood up and asked the client if she could
15 get him anything, Defendant David approached Plaintiff and with force pushed Plaintiff into a
16 chair. He then put his hand on her head and performed a lap dance as he pulled her head back
17 and forth while making thrusting jesters simulating intercourse. As the client watched, the client
18 stated, "I've been wanting to do that to her for so long." Plaintiff Khan felt humiliated.

19 14. In or around March 2015, Plaintiff was working with Defendant David and two
20 male employees in Defendant David's office. Defendant David was at his desk working on the
21 computer. He requested assistance from Plaintiff Khan. Plaintiff began working on Defendant
22 David's computer and as she did so he placed his hand on her left thigh moving her closer to him.
23 Defendant David's hand continued to move up Plaintiff's thigh until he was able to rub her
24 private parts. Plaintiff was fearful and quickly moved away from Defendant David.

25 15. In the late spring, early summer of 2015 Plaintiff was working at her desk when
26 Defendant David came up from behind her and bent over her and put both of his hands under the
27 top of her dress and cupped both of his hands on her breasts and squeezed them. Plaintiff Khan
28 was so frightened she couldn't speak. Plaintiff tried unsuccessfully to push Defendant's hands

1 off of her body. When Defendant David finally let go of her breasts she quickly crossed her arms
2 over her chest and yelled his name. Later that day Plaintiff's supervisor Gary Shoefeld told her
3 that he'd heard what had happened and inquired if she was alright. She was very upset and asked
4 for help. Shoefeld's response was "You know, he's never going to stop."

5 16. In addition to the unlawful conduct described above on most every occasion that
6 Defendant David passed by Plaintiff Khan he attempted to hug her by grabbing her tightly to his
7 body, attempt to touch her body and/or kiss her. Plaintiff would try to avoid this contact. In or
8 around July 2015 shortly before Defendant David was leaving for a trip, he approached Plaintiff
9 who was working at her desk and leaned down, kissed her on the lips and said goodbye.

10 17. Plaintiff Khan's job required her to work in the editing bay with various editors.
11 In or around August 2015 while she was in the editing bay Defendant David put his hand on her
12 pelvic area and pulled it with great forced toward him and stated, "Mmm this is nice. I like this
13 area" as he rubbed her body. Defendant did this in plain view of witnesses. Moreover,
14 Defendant David grabbed and/or squeezed Plaintiff's pelvic area and/or waist nearly every time
15 he passed her in a hallway at work.

16 18. In addition to being a victim of Defendant David's unlawful sexual harassment,
17 assaults and batteries, Plaintiff also witnessed Defendant David sexually harassing other female
18 employees. In late September 2015 Defendant David summoned Plaintiff Khan to his office and
19 closed the door. Defendant David then verbally assaulted Plaintiff accusing her of assisting
20 another woman with her claim of sexual harassment. He repeatedly shouted at Plaintiff Khan,
21 "Are you a FilmOn girl? Are you? Or are you not!" Plaintiff was terrified for her physical safety
22 as Defendant David screamed at her. When she was finally able to leave his office Plaintiff left
23 the building in tears and constructively terminated her employment within days.

24 19. Plaintiff Ms. Khan is informed and believes that Defendant David has subjected
25 other females to similar unlawful sexual behavior and to similar unconsented sexual batteries.

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1 **FIRST CAUSE OF ACTION**

2 **(Sexual Harassment in Violation of California Gov't Code §12940 et seq.**
3 **Against All Defendants and DOES 1-25)**

4 20. Plaintiff Khan repeats and realleges by reference each and every allegation
5 contained in paragraphs 1 through 19 and incorporates the same herein as though fully set forth.

6 21. On September 13, 2016, Ms. Khan filed timely complaints against all Defendants
7 with the California Department of Fair Employment and Housing ("DFEH"). A true and correct
8 copy of her complaint is attached hereto as Exhibit "A." The California Department of Fair
9 Employment and Housing issued Ms. Khan a Right to Sue Notices authorizing this lawsuit. A
10 true and correct copy of the right to sue letter is attached hereto as Exhibit "B." Plaintiff Khan
11 has therefore exhausted her administrative remedies.

12 22. As a direct and proximate result of Defendants' willful, knowing and intentional
13 discrimination against her, Plaintiff Khan has suffered and will continue to suffer extreme and
14 severe mental anguish and emotional distress. Plaintiff is thereby entitled to general and
15 compensatory damages in amounts to be proven at trial.

16 23. As a direct and proximate result of Defendants' willful, knowing and intentional
17 discrimination against her, Plaintiff Khan has further suffered and will continue to suffer a loss
18 of earnings and/or other employment benefits and job opportunities. Plaintiff is thereby entitled
19 to general and compensatory damages in amounts to be proven at trial.

20 24. As a further, direct and proximate result of Defendants' violation of California
21 Government Code §12900, et. seq., as heretofore described, Plaintiff Khan has been compelled
22 to retain the services of counsel in an effort to enforce the terms and conditions of her
23 employment relationship with Defendants, and has thereby incurred, and will continue to incur,
24 legal fees and costs, the full nature and extent of which are presently unknown to her. Plaintiff
25 will therefore seek leave of Court to amend this Complaint in that regard when the same shall be
26 fully and finally ascertained. Plaintiff requests that attorney fees be awarded pursuant to
27 California Government Code §12965.

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1 violation of the California Fair Employment and Housing Act, California Government Code
2 §12940, et seq. At all relevant times herein Plaintiff Khan was an employee of Defendants
3 Hologram USA, Inc., Alki David Productions, and FilmOn within the meaning of California
4 Government Code §12926.

5 33. Plaintiff Khan is informed and believe and based thereon alleges that in addition
6 to the practices enumerated above, Defendants may have engaged in other discriminatory
7 practices against her which are not yet fully known. At such time as such discriminatory
8 practices become known to her, Plaintiff will seek leave of Court to amend this Complaint in that
9 regard.

10 34. On September 13, 2016, Ms. Khan filed timely complaints against all Defendants
11 with the California Department of Fair Employment and Housing (“DFEH”). A true and correct
12 copy of her complaint is attached hereto as Exhibit “A.” The California Department of Fair
13 Employment and Housing issued Ms. Khan a Right to Sue Notices authorizing this lawsuit. A
14 true and correct copy of the right to sue letter is attached hereto as Exhibit “B.” Plaintiff Khan
15 has therefore exhausted her administrative remedies.

16 36. As a direct and proximate result of Defendants’ willful, knowing and intentional
17 discrimination against her, Plaintiff Khan has suffered and will continue to suffer extreme and
18 severe mental anguish and emotional distress. Plaintiff is thereby entitled to general and
19 compensatory damages in amounts to be proven at trial.

20 37. As a direct and proximate result of Defendants’ willful, knowing and intentional
21 discrimination against her, Plaintiff Khan has further suffered and will continue to suffer a loss
22 of earnings and/or other employment benefits and job opportunities. Plaintiff is thereby entitled
23 to general and compensatory damages in amounts to be proven at trial.

24 38. As a further, direct and proximate result of Defendants’ violation of California
25 Government Code §12900, et. seq., as heretofore described, Plaintiff Khan has been compelled
26 to retain the services of counsel in an effort to enforce the terms and conditions of her
27 employment relationship with Defendants, and has thereby incurred, and will continue to incur,
28 legal fees and costs, the full nature and extent of which are presently unknown to her. Plaintiff

1 will therefore seek leave of Court to amend this Complaint in that regard when the same shall be
2 fully and finally ascertained. Plaintiff requests that attorney fees be awarded pursuant to
3 California Government Code §12965.

4 39. Plaintiff Khan is informed and believes, and based thereon alleges, that the
5 outrageous conduct of Defendants described above was done with malice, fraud and oppression
6 and with conscious disregard for her rights and with the intent, design and purpose of injuring
7 her. Defendants participated, authorized, condoned and/or ratified the unlawful conduct of the
8 other employees. By reason thereof, Plaintiff is entitled to punitive or exemplary damages from
9 Defendants in a sum according to proof at trial.

10 **FOURTH CAUSE OF ACTION**

11 **(For Sexual Battery Against Defendant David and Does 1-25)**

12 40. Plaintiff Khan repeats and realleges the allegations contained in paragraphs 1
13 through 19 and incorporates by reference as though fully set forth herein.

14 41. In doing the acts described herein, Defendant David acted with the intent to make
15 an offensive contact with Plaintiff. He did, in fact, bring himself into offensive and unwelcome
16 sexual contact with Plaintiff as described hereinabove.

17 42. As described more fully above, Defendant David subjected Plaintiff to
18 unconsented and intentional invasions of her right to be free from sexually offensive and harmful
19 physical contact.

20 43. As a direct and proximate result of Defendant David's actions, Plaintiff Khan has
21 suffered and will continue to suffer pain and suffering, extreme and severe mental anguish and
22 emotional distress; and she has suffered and will continue to suffer a loss of earnings and other
23 employment benefits and job opportunities. Plaintiff is thereby entitled to general and
24 compensatory damages in amounts to be proven at trial.

25 44. Defendant David's conduct was malicious and oppressive, and done with a
26 conscious disregard of Plaintiff Khan's rights. Because Defendant David acted in his capacity as
27 President/CEO, he abused and betrayed his special relationship of trust and confidence to
28

1 Plaintiff. Plaintiff is entitled to punitive damages from Defendant in an amount to be determined
2 at trial.

3 **FIFTH CAUSE OF ACTION**

4 **(For Battery Against Defendant David and Does 1-25)**

5 45. Plaintiff Kahn repeats and realleges the allegations contained in paragraphs 1
6 through 19 and incorporates by reference as though fully set forth herein.

7 46. In doing the acts described herein, Defendant David acted with the intent to make
8 contact with Plaintiff. He did, in fact, bring himself into unwelcome contact with Plaintiff Khan
9 as described hereinabove.

10 47. At all relevant times, Plaintiff Khan found the contacts by Defendant David to be
11 offensive to her person and dignity.

12 48. As described more fully above, Defendant David subjected Plaintiff to
13 unconsented and intentional invasions of her right to be free from offensive and harmful physical
14 contact.

15 49. As a direct and proximate result of Defendant David's actions, Plaintiff Khan has
16 suffered and will continue to suffer pain and suffering, extreme and severe mental anguish and
17 emotional distress; and she has suffered and will continue to suffer a loss of earnings and other
18 employment benefits and job opportunities. Plaintiff is thereby entitled to general and
19 compensatory damages in amounts to be proven at trial.

20 50. Defendant David's conduct was malicious and oppressive, and done with a
21 conscious disregard of Plaintiff Khan' rights. Because Defendant David acted in his capacity as
22 President/CEO, he abused and betrayed his special relationship of trust and confidence to
23 Plaintiff. Plaintiff is entitled to punitive damages from Defendant in an amount to be determined
24 at trial.

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1 **SIXTH CAUSE OF ACTION**

2 **(Wrongful Constructive Termination in Violation of Public Policy**
3 **against Defendants Hologram, Alki David Productions, FilmOn and DOES 1-25)**

4 51. Plaintiff Kahn repeats and realleges the allegations contained in paragraphs 1
5 through 19 and incorporates by reference as though fully set forth herein.

6 52. Plaintiff Khan is informed and believes that as set forth above she was
7 constructively terminated as a result of being subjected to egregious sexual harassment, sexual
8 assaults and sexual batteries by Defendant David.

9 53. It is the public policy of the State of California, as expressed in the California Fair
10 Employment and Housing Act, California Government Code §12900 et seq., that employees
11 shall not be subjected to sexual harassment and shall be allowed to work in a harassment free
12 work environment.

13 54. As a direct and proximate result of Defendants' willful, knowing and intentional
14 retaliation against him for complaining about discrimination, Plaintiff Khan has suffered and will
15 continue to suffer pain and suffering, extreme and severe mental anguish, and emotional distress.
16 Plaintiff has further suffered and will continue to suffer a loss of earnings and other employment
17 benefits and job opportunities. Plaintiff is hereby entitled to general and compensatory damages
18 in amounts to be proven at trial.

19 55. Plaintiff Khan is informed and believes and based thereon alleges that the
20 outrageous conduct of Defendants described above was done with malice, fraud and oppression
21 and with conscious disregard for his rights and with the intent, design and purpose of injuring
22 Plaintiff. Defendants through its officers, managing agents and/or its supervisors, authorized,
23 condoned and/or ratified the unlawful conduct of all of the other defendants named in this action.
24 By reason thereof, Plaintiff is entitled to punitive or exemplary damages from all Defendants in a
25 sum according to proof at trial.

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1 **WHEREFORE**, Plaintiff Khan prays that judgment be entered in her favor and against
2 Defendants as follows:

3 **AS TO THE FIRST CAUSE OF ACTION:**

4 1. That Plaintiff be awarded general and compensatory damages, including
5 prejudgment interest, in an amount according to proof at trial;

6 2. That Plaintiff be awarded reasonable attorneys' fees and costs of suit and interest
7 incurred;

8 3. That Plaintiff be awarded punitive or exemplary damages against Defendants in
9 an amount according to proof at trial; and

10 4. That this Court award such other and further relief as the Court deems just and
11 proper.

12 **AS TO THE SECOND CAUSE OF ACTION:**

13 1. That Plaintiff be awarded actual damages sufficient to reasonably compensate Ms.
14 Kahn for the harm;

15 2. That Plaintiff be awarded a civil penalty of \$25,000.00 pursuant to Civ. Code
16 §52(b); and

17 3. That Plaintiff be awarded punitive or exemplary damages against Defendants in
18 an amount according to proof at trial.

19 **AS TO THE THIRD CAUSE OF ACTION:**

20 1. That Plaintiff be awarded general and compensatory damages, including
21 prejudgment interest, in an amount according to proof at trial;

22 2. That Plaintiff be awarded reasonable attorneys' fees and costs of suit and interest
23 incurred; and

24 3. That Plaintiff be awarded punitive or exemplary damages against Defendants in
25 an amount according to proof at trial;

26 4. That this Court award such other and further relief as the Court deems just and
27 proper.

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1 **AS TO THE FOURTH CAUSE OF ACTION:**

2 1. That Plaintiff be awarded general and compensatory damages, including
3 prejudgment interest, in an amount according to proof at trial;

4 2. That Plaintiff be awarded punitive damages against Defendants in an amount
5 according to proof at trial;

6 3. That this Court award such other and further relief as the Court deems just and
7 proper.

8 **AS TO THE FIFTH CAUSE OF ACTION:**

9 1. That Plaintiff be awarded general and compensatory damages, including
10 prejudgment interest, in an amount according to proof at trial;

11 2. That Plaintiff be awarded punitive damages against Defendants in an amount
12 according to proof at trial;

13 3. That this Court award such other and further relief as the Court deems just and
14 proper.

15 **AS TO THE SIXTH CAUSE OF ACTION:**

16 1. That Plaintiff be awarded general and compensatory damages, including
17 prejudgment interest, in an amount according to proof at trial;


18 2. That Plaintiff be awarded punitive damages against Defendants in an amount
19 according to proof at trial;

20 3. That this Court award such other and further relief as the Court deems just and
21 proper.

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23 DATED: March 14, 2017

ALLRED, MAROKO & GOLDBERG

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25 By:


GLORIA ALLRED
DOLORES Y. LEAL
RENEE MOCHKATEL
Attorneys for Plaintiff,
MAHIM KHAN

“EXHIBIT A”



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 | TDD 800-700-2320
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

DIRECTOR KEVIN KISH

September 13, 2016

Tracy Fehr
401 Wilshire Blvd., Suite 1000
Santa Monica California 90401

RE: Notice to Complainant or Complainant's Attorney
DFEH Matter Number: 381775-250450
Right to Sue: Khan / Alkiviades "Alki" David Alki David Productions

Dear Complainant or Complainant's Attorney:

Attached is a copy of your complaint of discrimination filed with the Department of Fair Employment and Housing (DFEH) pursuant to the California Fair Employment and Housing Act, Government Code section 12900 et seq. Also attached is a copy of your Notice of Case Closure and Right to Sue. Pursuant to Government Code section 12962, DFEH will not serve these documents on the employer. You or your attorney must serve the complaint. If you do not have an attorney, you must serve the complaint yourself. Please refer to the attached Notice of Case Closure and Right to Sue for information regarding filing a private lawsuit in the State of California.

Be advised that the DFEH does not review or edit the complaint form to ensure that it meets procedural or statutory requirements.

Sincerely,

Department of Fair Employment and Housing

EXHIBIT A



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 | TDD 800-700-2320
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

DIRECTOR KEVIN KISH

September 13, 2016

RE: Notice of Filing of Discrimination Complaint

DFEH Matter Number: 381775-250450

Right to Sue: Khan / Alkiviades "Alki" David Alki David Productions

To All Respondent(s):

Enclosed is a copy of a complaint of discrimination that has been filed with the Department of Fair Employment and Housing (DFEH) in accordance with Government Code section 12960. This constitutes service of the complaint pursuant to Government Code section 12962. The complainant has requested an authorization to file a lawsuit. This case is not being investigated by DFEH and is being closed immediately. A copy of the Notice of Case Closure and Right to Sue is enclosed for your records.

Please refer to the attached complaint for a list of all respondent(s) and their contact information.

No response to DFEH is requested or required.

Sincerely,

Department of Fair Employment and Housing

1 **COMPLAINT OF EMPLOYMENT DISCRIMINATION**
2 **BEFORE THE STATE OF CALIFORNIA**
3 **DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING**
4 **Under the California Fair Employment and Housing Act**
5 **(Gov. Code, § 12900 et seq.)**

6 In the Matter of the Complaint of
7 Mahim Khan, Complainant.
8 401 Wilshire Blvd., Suite 1000
9 Santa Monica, California 90401

DFEH No. 381775-250450

vs.

10 Alkiviades "Alki" David Alki David Productions,
11 Respondent.
12 301 N. Canon Drive, Third Floor
13 Beverly Hills, California 90210

14 Complainant alleges:

15 1. Respondent **Alki David Productions** is a **Private Employer** subject to suit under the California Fair
16 Employment and Housing Act (FEHA) (Gov. Code, § 12900 et seq.). Complainant believes respondent is
17 subject to the FEHA.

18 2. On or around **September 13, 2016**, complainant alleges that respondent took the following adverse actions
19 against complainant: **Discrimination, Harassment, Retaliation Denied a work environment free of**
20 **discrimination and/or retaliation, Denied promotion, Forced to quit, Terminated, .** Complainant believes
21 respondent committed these actions because of their: **Association with a member of a protected class,**
22 **Engagement in Protected Activity, Sex - Gender .**

3. Complainant **Mahim Khan** resides in the City of **Santa Monica**, State of **California**. If complaint includes
co-respondents please see below.

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Co-Respondents:

Filmon.TV, Inc.
Alkiviades "Alki" David
301 N. Canon Drive, Third Floor
Beverly Hills California 90210

Hologram USA, Inc.
Alkiviades "Alki" David
301 N. Canon Drive, Third Floor
Beverly Hills California 90210

Alkiviades "Alki" David
301 N. Canon Drive, Third Floor
Beverly Hills California 90210

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Additional Complaint Details:

Alki David owns numerous companies including Alki David Productions, FilmOn.TV, Inc., and Hologram USA ("Respondents"). Respondents hired Ms. Khan in October 2014. David began harassing Ms. Khan almost immediately. He tapped her buttocks, pinched his hands at her genitals, rubbed his hands on her inner thigh, forcibly gave her a lap dance, and grabbed her breasts. He constantly made harassing comments, implying that she had just performed oral sex on him and "joking" that he wanted Ms. Khan for lunch. Ms. Khan rebuffed David's advances and complained repeatedly to the Vice President. Nothing was done, despite common knowledge that David sexually harassed most female employees. Ms. Khan was denied a promotion in her department which was given to a less qualified male employee. Upon learning of Ms. Khan's complaints on behalf of herself and others and fearing that another female employee planned to sue him, David called Ms. Khan into his office and screamed at and bullied her, called her "disloyal," and implied he was illegally monitoring her calls and emails until Ms. Khan was terrified. Ms. Khan was constructively terminated in October 2015. Respondents discriminated and retaliated against Ms. Khan, harassed Ms. Khan, and failed to prevent discrimination, retaliation, and harassment.

1 VERIFICATION

2 I, **Mahim Khan**, am the Complainant in the above-entitled complaint. I have read the foregoing complaint and
3 know the contents thereof. The same is true of my own knowledge, except as to those matters which are therein
4 alleged on information and belief, and as to those matters, I believe it to be true.

5 On September 13, 2016, I declare under penalty of perjury under the laws of the State of California that the
6 foregoing is true and correct.

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Los Angeles, CA
Mahim Khan

“EXHIBIT B”



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 | TDD 800-700-2320
www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

DIRECTOR KEVIN KISH

September 13, 2016

Mahim Khan
401 Wilshire Blvd., Suite 1000
Santa Monica, California 90401

RE: Notice of Case Closure and Right to Sue
DFEH Matter Number: 381775-250450
Right to Sue: Khan / Alkiviades "Alki" David Alki David Productions

Dear Mahim Khan,

This letter informs you that the above-referenced complaint was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective September 13, 2016 because an immediate Right to Sue notice was requested. DFEH will take no further action on the complaint.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

To obtain a federal Right to Sue notice, you must visit the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this DFEH Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Department of Fair Employment and Housing

EXHIBIT B



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758

800-884-1684 | TDD 800-700-2320

www.dfeh.ca.gov | email: contact.center@dfeh.ca.gov

DIRECTOR KEVIN KISH

Enclosures

cc: Filmon.TV, Inc. Alkiviades "Alki" David

Hologram USA, Inc. Alkiviades "Alki" David

Alkiviades "Alki" David