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11 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
12 **COUNTY OF SANTA CLARA**

14 FERRAS HAMAD,

15 Plaintiff,

16 vs.

17 META PLATFORMS, INC., a Delaware
18 Corporation; and DOES 1 through 50,
19 inclusive,

20 Defendants.

Case No.:

FERRAS HAMAD'S COMPLAINT FOR:

1. **DISCRIMINATION IN VIOLATION OF FEHA**
2. **HARASSMENT IN VIOLATION OF FEHA**
3. **RETALIATION IN VIOLATION OF FEHA**
4. **FAILURE TO TAKE ALL REASONABLE STEPS NECESSARY TO PREVENT DISCRIMINATION, HARASSMENT, AND RETALIATION**
5. **WRONGFUL TERMINATION IN VIOLATION OF PUBLIC POLICY**
6. **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**
7. **NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**
8. **UNLAWFUL AND UNFAIR BUSINESS PRACTICES**

DEMAND FOR JURY TRIAL
(Demand Exceeds \$25,000)

1 COMES NOW, Plaintiff FERRAS HAMAD, by and through his attorneys of record, for all
2 causes of action against all Defendants, hereby alleges as follows upon information and belief:

3 **PARTIES**

4 1. Plaintiff FERRAS HAMAD (hereinafter “Plaintiff”) is an individual. During all
5 relevant times herein mentioned, Plaintiff resided in the County of Santa Clara, State of California.

6 2. Defendant META PLATFORMS, INC. (hereinafter “META”) is and, at all relevant
7 times herein mentioned, was a Delaware corporation, with its principal place of business in Santa
8 Clara County, California.

9 3. Plaintiff is ignorant of the true names and capacities of the defendants sued herein as
10 DOES 1 to 50, inclusive, (hereinafter the “Doe Defendants”) and therefore sues these defendants
11 by such fictitious names. Plaintiff will amend this Complaint to insert the true names and
12 capacities of said defendants when they are ascertained. Plaintiff is informed and believes and
13 thereon alleges that each of such fictitiously named defendants are liable to Plaintiff for the acts,
14 events, and occurrences alleged herein as a result of said defendants’ relationship to all named co-
15 defendants, or by participation in said acts, events, or occurrences. At such times as Defendants’
16 true names become known to Plaintiff, Plaintiff will seek leave of court to amend this Complaint
17 and insert such true names and capacities of such Defendants.

18 4. Plaintiff is informed and believes, and thereon alleges, that at all times mentioned
19 herein, Defendants, and each of them, were the co-owners, partners, agents, servants, employees
20 and/or joint venturers, successors, predecessors, parent or subsidiary corporations of each other co-
21 defendant and were, as such, acting within the scope, course and authority of said partnership,
22 agency, employment, and/or joint venture. Plaintiff is informed and believes, and thereon alleges,
23 that at all times mentioned herein, Defendants, and each of them, are vicariously liable for their co-
24 defendant’s actions.

25 5. Plaintiff is informed and believes and thereon alleges that at all times herein
26 mentioned, Doe Defendants, were and are corporations, partnerships, associations, private entities
27 or public entities duly organized and existing under the laws of the State of California, and doing
28 business in the State of California, or are and at all times herein mentioned were foreign

1 corporations authorized to do business in the State of California.

2 **JURISDICTION AND VENUE**

3 6. Jurisdiction and Venue are proper in this County as Defendant’s principal place of
4 business is in Santa Clara County and the conduct alleged in the Complaint occurred in Santa Clara
5 County.

6 7. Plaintiff has met all the jurisdictional requirements for proceeding with his claims
7 under FEHA, including without limitation, California Government Code Sections 12960 and
8 12965, by timely filing an administrative complaint against Defendant META with the California
9 Civil Rights Department (“CRD”) on or about June 4, 2024. On June 4, 2024, Plaintiff received
10 his right-to-sue letter from the CRD against META. A true and correct copy of the CRD complaint
11 and right-to-sue letter is attached hereto as **Exhibit 1**.

12 **FACTUAL ALLEGATIONS**

13 8. Plaintiff, a Palestinian-American and Muslim, was born and raised in the United
14 States. Through his strong work ethic, Plaintiff achieved exceptional success in his career as a
15 software engineer after receiving his Bachelor of Science degree in Computer Science from
16 Carnegie Mellon University, consistently ranked among the top computer science programs in the
17 country. Along with receiving his Master of Science from Carnegie Mellon in 2017 – with a 3.96
18 GPA – Plaintiff refined his craft at some of the top technology employers in the United States,
19 where he was consistently lauded for his outstanding work performance. Plaintiff’s diligence also
20 translated into him being awarded multiple patents.

21 9. META began recruiting Plaintiff in the fall of 2021. Plaintiff ultimately joined
22 META on March 7, 2022, as a Software Engineer, Machine Learning. Plaintiff’s main job
23 functions centered around location-based recommendations, including breaking news.

24 10. Plaintiff received glowing performance reviews, including in his review that
25 immediately preceded his wrongful termination. Specifically, for the 2022 performance cycle,
26 Plaintiff received an “Exceeds Expectations” rating, which is considered exceptional for a META
27 employee’s first annual review. For Plaintiff’s 2023 performance cycle, he received a “Greatly
28 Exceeds Expectations” rating, placing him in approximately the top 10% of engineers in his cohort.

1 11. During his time at the company, META routinely espoused and promoted the core
2 concept that “nothing is somebody else’s problem.” META consistently encouraged its employees
3 to assist with issues that arose impacting the user experience or META generally. Plaintiff
4 believed in this core concept and took it to heart. As part of his job duties, Plaintiff routinely
5 responded to and assisted with severe issues, commonly referred to internally as a “SEV,” ranging
6 in gravity from 4 to 1, with a 1 considered critical (i.e. Facebook or Instagram were down) and 2
7 being the next most serious (impacting a large portion of the user base). SEVs are accessible to all
8 engineers at META to alert employees of serious issues.

9 12. Plaintiff had on multiple occasions been commended for going above and beyond in
10 assisting with the resolutions of SEVs. META specifically tasked Plaintiff to work on a number of
11 sensitive SEVs, including ones involving high profile advertisers, government officials, celebrities,
12 and sensitive issues. On October 17, 2023, META directly tasked Plaintiff with assessing the
13 quality of Instagram integrity filters as they related to Gaza, Israel, and Ukraine.

14 13. Given his previous work, on December 17, 2023, Plaintiff joined a SEV chat
15 (“Palestine SEV”) related to Palestinian Instagram creators and activists, whose posts had been
16 curbed or censored, artificially limiting their reach.

17 14. At a high level, the SEV resolution protocol includes a spectrum of activity statuses
18 — “Open/Active,” “Mitigated,” “Resolved,” and ultimately “Closed” — META policy required a
19 methodological review of each phase of the SEV itself prior to transitioning to the next phase of the
20 SEV protocol. In this instance, Plaintiff was particularly concerned as the SEV— involving
21 Palestine-related content — showed the “Mitigation,” “Resolved,” and “Closed” phases all bearing
22 the same timestamp with no reason or justification provided for the instantaneous status changes.
23 This simultaneous phase change was highly unusual as there is typically a considerable time lapse
24 between the referenced SEV phases to provide time to thoroughly investigate any issues. The lack
25 of rationale provided was also concerning as META policy requires written analysis be provided
26 for each phase transition. Concerned about these irregularities, Plaintiff posted an update to the
27 Palestine SEV chat regarding a ruling from META’s oversight board — issued the day before —
28 regarding erroneous content removal. Plaintiff urged those on the Palestine SEV chat to follow

1 proper protocol.

2 15. ***On the same day*** that Plaintiff was attempting to resolve these irregularities,
3 December 20, 2023, Human Rights Watch issued a report entitled “Meta’s Broken Promises:
4 Systemic Censorship of Palestine Content on Instagram and Facebook,” documenting 1049
5 instances of biased censorship regarding Palestine-related content.

6 16. The Human Rights Watch report, however, only scratched the surface of META’s
7 chronic anti-Palestinian bias, which included:

- 8 • Deleting posts where employees mention deaths of relatives in Gaza from Israeli
9 airstrikes;
- 10 • Deleting any posts that mentioned UN Palestine day (November 29) even those
11 in intracompany Palestinian affinity groups. (Nationality based groups are
12 allowed as part of the community guidelines and one exists for almost every
13 country including Canada, Saudi Arabia, Ukraine, etc.);
- 14 • Deleting mentions of Palestinian refugees from the intracompany refugees
15 support group;
- 16 • Deleting a photo of a Nike Air Jordan shoe, without any additional text or
17 context because it had a certain color pattern (red, green and white: presumably
18 because it was associated with pro-Palestinian support);
- 19 • Banning employees from stating “free Palestine” but allowing them to state
20 “antizionism == antisemitism;”
- 21 • Deleting an internal letter raising concerns about employees’ concerns regarding
22 META’s moderation efforts as they related to Palestinians, Muslims, and Arabs,
23 which was after sent to META executives;
- 24 • Launching HR investigations for use of the Palestine flag emoji (even though no
25 investigations were launched for employees who posted the Israel or Ukraine
26 emojis);
- 27 • Deleting a post by a META employee of Palestinian descent lamenting the
28 November 25, 2023 hate-crime shooting of his cousin and others in Vermont for

1 violating “community guidelines,” only to reinstate the post a few days later as
2 the referenced guidelines explicitly allow for the expression of condolences for
3 mass shooting events; and

- 4 • Deleting posts that raised awareness or reported issues of content related to
5 Palestine/Palestinians being censored, misclassified or removed even when said
6 posts were made in the correct and relevant internal META workplace groups.
- 7 • Many of these enforcement decisions fell under the responsibility of META
8 employee Matt Miller (Employee Relations), who has made/promoted several
9 external posts on his Instagram account indicating strong bias regarding the
10 conflict.

11 17. It was against this backdrop of overt bias that Plaintiff, performing his job
12 responsibilities, specifically tagged the employee responsible for investigating the Palestine SEV
13 asking if that person was still driving the SEV investigation. That employee never responded.

14 18. Thereafter, another META employee posted an internal report about a high value
15 Palestinian creator not appearing in searches, while his content was concurrently mysteriously
16 disappearing. Plaintiff tagged another engineer on the integrity team to request assistance in
17 looking into the issue, but again received no response. In prior instances, Plaintiff typically
18 received a response within 15 minutes during a SEV 2 that took place during business hours.

19 19. In this instance, after waiting approximately two hours for a response from other
20 engineers, Plaintiff checked the recommended-ability status of the high value creator whose content
21 was being curbed — Motaz Azaiza (“Azaiza”), a Palestinian photojournalist who amassed over 17
22 million followers documenting the war in Gaza. Plaintiff followed the guidance provided for
23 debugging such issues, including checking the publicly accessible posts of the user. Plaintiff
24 concluded the content posted by the user was incorrectly classified as “pornographic”, including a
25 short video that only showed the remains of a destroyed building in Gaza. Plaintiff documented the
26 queries he ran in the SEV chat room (which included over 50 other META employees), along with
27 his findings.

28 20. Thereafter, Plaintiff began receiving direct messages from persons unaffiliated with

1 the SEV and not within his chain of command. First, an employee on the Instagram integrity team
2 (“IG Integrity Team Member”) contacted Plaintiff directly (outside the SEV chat), demanding he
3 stop investigating the issue, alleging a violation of company policy and that the issue had been
4 resolved/closed. When Plaintiff questioned the bases for both accusations, the IG Integrity Team
5 Member quickly retreated, stating he was not sure which policy Plaintiff had allegedly violated —
6 or how he violated it — because he was not an “expert” on company policy. Moreover, the IG
7 Integrity Team Member refused to continue the conversation transparently in the SEV (where other
8 employees could see his comments) in contravention of standard practice.

9 21. Second, Simon Blackstein (“Blackstein”), a security engineer, contacted Plaintiff
10 within one hour of the IG Integrity Team Member’s messages. Mr. Blackstein similarly messaged
11 Plaintiff directly rather than in the SEV chat room where his messages would be visible by others.
12 Blackstein told Plaintiff to stop looking into the issue, claiming it was being investigated by a
13 different team (in conflict with the message Plaintiff had just received from the IG Integrity Team
14 Member, who stated the SEV had been closed).

15 22. Blackstein vacillated between claiming he was part of the investigation while at
16 other times backtracking. Blackstein also incorrectly stated that investigating the SEV issue was
17 not part of Plaintiff’s job function. Blackstein who was not a member of Plaintiff’s team – had no
18 knowledge of Plaintiff’s duties or prior experience on similarly sensitive SEVs. In fact, after
19 Plaintiff provided additional context for the reasons behind his involvement in the SEV, Blackstein
20 conceded that Plaintiff’s work was directly relevant to the matter being investigated.

21 23. Blackstein advised Plaintiff that he would request that the lead for the team
22 investigating the SEV, Alex Warokfa (Director of Human Rights at META) to post a message in
23 the SEV chat regarding the various irregularities with the Palestine SEV. No message was ever
24 posted. Because Blackstein stated the owner of the SEV would contact him regarding their
25 progress in resolving the irregularities, Plaintiff took no further action related to the SEV.

26 24. On December 22, 2023, Plaintiff received confirmation from a member of META’s
27 security team that he did not violate any company policy or user data access policy with his actions
28 on December 21 and that a SEV Level 2 justifies access to the data he had reviewed. Plaintiff left

1 for vacation shortly thereafter.

2 25. On or around December 25, 2023, Azaiza publicly posted a screenshot depicting
3 how Instagram had incorrectly classified his Gaza coverage as “pornographic.” Azaiza’s post
4 garnered millions of views and caused damage to Meta’s brand as well as hurt users’ trust in
5 Meta’s ability to moderate content. This public embarrassment and damage to Meta could have
6 been mitigated if timely action was taken on the SEV. In the subsequent weeks and months, Azaiza
7 (and other Palestinian creators and activists) faced multiple recurring issues with their accounts
8 related to misclassification of content and platform activity.

9 26. Shortly after returning from his vacation, on January 25, 2024, Plaintiff was
10 contacted by Lindsay Gold (“Gold”), an employment investigator at META, who scheduled an
11 urgent meeting providing only one hour’s notice. Gold simply told Plaintiff “I’m investigating an
12 incident and need to talk to you because you might have relevant knowledge about it.” It was not
13 until he was in the meeting, with Gold interrogating him, that Gold revealed that the Plaintiff was
14 the subject of the investigation. Throughout her interrogation, Gold had a predetermined opinion
15 regarding the outcome of the investigation and at one point stated that “this doesn’t seem related to
16 your work.”

17 27. On January 28, 2024, Plaintiff emailed Kimberly Hulbert in Human Resources
18 (copying Gold) and made an official complaint about the discrimination he was being subjected to
19 because of the investigation premised on his Palestinian-American national origin and Muslim
20 faith. The next day, Human Resources responded, confirming receipt of the complaint and
21 forwarding it to META’s Legal Department.

22 28. On January 29, 2024, META responded to a letter sent by Senator Elizabeth Warren
23 concerning its censorship of posts related to Palestine/Gaza. Both Senator Warren and Senator
24 Bernie Sanders described META’s response as inadequate and stated it “did not provide any of the
25 requested information.”

26 29. On January 31, 2024, Plaintiff’s manager confirmed in writing that his actions
27 regarding the SEV in question were correct, part of his responsibilities and normal job function,
28 and in the best interests of the company.

1 30. On February 2, 2024, on the eve of Plaintiff's stock vesting date, Plaintiff was
2 notified that he was being terminated. META claimed the termination was related to a violation of
3 its User Data Access Policy; specifically, that Plaintiff may personally know Azaiza, a public
4 figure with approximately 17 million followers. Plaintiff was terminated despite confirmation from
5 Plaintiff's manager that he had acted correctly and from META's own security operations
6 personnel unequivocally stating the Plaintiff did not violate META's User Data Access Policy.

7 31. Plaintiff has never met Azaiza. Plaintiff was born and raised in the United States,
8 has never been to Gaza, and does not have any family connection to Gaza. Given Plaintiff's
9 background, Motaz's high profile/celebrity status, and the isolation of Gaza, it is highly improbable
10 that the Plaintiff and Azaiza would know each other, have any personal relationship, or even have
11 been on the same side of any international border as of February 2024. In reality, Plaintiff is simply
12 the latest victim of META's callous, chronic, and consistent anti-Palestinian bias.

13 **FIRST CAUSE OF ACTION**

14 **DISCRIMINATION IN VIOLATION OF FEHA**

15 **(AGAINST META AND DOES 1-50)**

16 32. As a separate and distinct cause of action, Plaintiff complains and re-alleges all the
17 allegations contained in this Complaint, and incorporates them by reference into this cause of
18 action as though fully set forth herein, except those allegations which are inconsistent with this
19 cause of action.

20 33. At all times mentioned herein, Defendant META was an employer as defined under
21 the FEHA. At all times mentioned herein, FEHA, California Government Code Section 12900, *et*
22 *seq.*, was in full force and effect and was binding on Defendant META, as Defendant META
23 regularly employed five or more persons.

24 34. Pursuant to California Government Code Section 12940(a), it is an unlawful
25 employment practice for an employer to discriminate against any employee in the terms,
26 conditions, or privileges of employment because of, *inter alia*, his national origin and religion.

27 35. Plaintiff is a member of protected classes, as he is of Palestinian national origin and
28 Muslim.

1 36. Defendants discriminated against Plaintiff and subjected him to adverse
2 employment actions, including, but not limited to, denial of employment benefits, privileges, and
3 wrongful termination as a result of his national origin and/or religion. Defendants' conduct as
4 alleged herein constitutes unlawful discrimination in violation of Government Code Section
5 12940(a).

6 37. Plaintiff's national origin and religion were motivating factors in Defendants'
7 aforementioned decisions that were adverse to Plaintiff with respect to compensation and terms,
8 conditions and privileges of employment. Specifically, Plaintiff was scrutinized, interrogated, and
9 terminated because he was of Palestinian national origin and/or Muslim investigating a SEV related
10 to one of the most famous Palestinian photojournalists during the conflict in Gaza. Plaintiff did not
11 receive similar scrutiny, interrogation, or adverse employment actions when he responded to SEVs
12 related to Ukraine or other world events.

13 38. As a direct and proximate result of Defendants' conduct, Plaintiff has incurred and
14 will continue to incur general and special damages in an amount to be proven at trial. These
15 damages include lost income, employment, career opportunities, and undue stress.

16 39. The acts taken toward Plaintiff alleged herein were carried out by Defendants'
17 officers, directors, and/or managing agents acting in a despicable, oppressive, fraudulent,
18 malicious, deliberate, egregious and inexcusable manner and in conscious disregard for the rights
19 and safety of Plaintiff, thereby justifying an award of punitive damages in a sum appropriate to
20 punish and make an example of Defendants, and each of them, pursuant to Civil Code Section
21 3294.

22 40. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees, and
23 hereby requests his attorneys' fees pursuant to Government Code Section 12965.

24 **SECOND CAUSE OF ACTION**
25 **HARASSMENT IN VIOLATION OF FEHA**
26 **(AGAINST META AND DOES 1-50)**

27 41. As a separate and distinct cause of action, Plaintiff complains and re-alleges all the
28 allegations contained in this Complaint, and incorporates them by reference into this cause of

1 action as though fully set forth herein, except those allegations which are inconsistent with this
2 cause of action.

3 42. At all times mentioned herein, Defendant META was an employer as defined under
4 the FEHA. At all times mentioned herein, FEHA, California Government Code Section 12900, *et*
5 *seq.*, was in full force and effect and was binding on Defendant META, as it regularly employed
6 five or more persons.

7 43. Defendants' conduct, as alleged, violated FEHA, Government Code section 12900,
8 *et seq.*, and Defendants committed unlawful employment practices, including by the following
9 bases for liability:

- 10 • Harassing Plaintiff and/or creating a hostile work environment, in whole or in
11 part on the basis of Plaintiff's national origin, and/or religion, in violation of
12 Government Code section 12940(j);
- 13 • Failing to take all reasonable steps to prevent harassment based on national
14 origin and/or religion, in violation of Government Code section 12940(k).

15 44. The acts taken toward Plaintiff alleged herein were carried out by Defendants and
16 their officers, directors, and/or managing agents acting in a despicable, oppressive, fraudulent,
17 malicious, deliberate, egregious and inexcusable manner and in conscious disregard for the rights
18 and safety of Plaintiff, thereby justifying an award of punitive damages in a sum appropriate to
19 punish and make an example of Defendants, and each of them, pursuant to Civil Code Section
20 3294.

21 45. As a direct and proximate result of META's conduct, Plaintiff has incurred and will
22 continue to incur economic and non-economic damages in the form of, *inter alia*, lost income, lost
23 benefits, employment, career opportunities, and undue stress in an amount to be proven at trial, but
24 not less than \$1,000,000.

25 46. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees, and
26 hereby requests his attorneys' fees pursuant to Government Code Section 12965.

27
28

1 **THIRD CAUSE OF ACTION**

2 **RETALIATION IN VIOLATION OF FEHA**

3 **(AGAINST META AND DOES 1-50)**

4 47. As a separate and distinct cause of action, Plaintiff complains and re-alleges all the
5 allegations contained in this Complaint, and incorporates them by reference into this cause of
6 action as though fully set forth herein, except those allegations which are inconsistent with this
7 cause of action.

8 48. At all times mentioned herein, Defendant META was an employer as defined under
9 the FEHA. At all times mentioned herein, FEHA, California Government Code Section 12900, *et*
10 *seq.*, was in full force and effect and was binding on Defendant META, as it regularly employed
11 five or more persons.

12 49. Pursuant to California Government Code Section 12940(h), it is an unlawful
13 employment practice for an employer to discharge, expel, or otherwise discriminate against any
14 person because the person has opposed any practices forbidden under the FEHA or exercised his or
15 his legal rights thereunder.

16 50. Plaintiff exercised his legal rights under the FEHA by complaining to management
17 and human resources that he was being discriminated against and retaliated against on the basis of
18 his national origin and/or religion.

19 51. Defendants retaliated against Plaintiff and subjected him to adverse employment
20 actions, including, but not limited to, denial of employment benefits, privileges and wrongful
21 termination. A motivating factor was Plaintiff's exercise of rights under FEHA.

22 52. As a direct and proximate result of Defendants' conduct, Plaintiff has incurred and
23 will continue to incur economic and non-economic damages in the form of, *inter alia*, lost income,
24 lost benefits, employment, career opportunities, great anxiety, embarrassment, anger, loss of
25 enjoyment of life, and severe emotional distress in an amount to be proven at trial, but not less than
26 \$1,000,000.

27 53. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees, and
28 hereby requests his attorneys' fees pursuant to Government Code Section 12965.

1 **FOURTH CAUSE OF ACTION**

2 **FAILURE TO TAKE ALL REASONABLE STEPS NECESSARY TO**
3 **PREVENT DISCRIMINATION, HARASSMENT, AND RETALIATION**

4 **(AGAINST META AND DOES 1-50)**

5 54. As a separate and distinct cause of action, Plaintiff complains and re-alleges all the
6 allegations contained in this Complaint, and incorporates them by reference into this cause of
7 action as though fully set forth herein, except those allegations which are inconsistent with this
8 cause of action.

9 55. Pursuant to Government Code Section 12940(k), it is an unlawful employment
10 practice for an employer to fail to take all reasonable steps necessary to prevent discrimination,
11 harassment, and retaliation in the workplace.

12 56. As stated herein, Defendants subjected Plaintiff to discrimination, harassment, and
13 retaliation in the workplace.

14 57. Defendants failed to take all reasonable steps to prevent discrimination, harassment,
15 and retaliation in the workplace against Plaintiff, and to take immediate and appropriate corrective
16 action to remedy the unlawful conduct. Defendants also had a pattern and practice of doing such.

17 58. As a direct and proximate result of Defendants' conduct, Plaintiff has incurred and
18 will continue to incur general and special damages in an amount to be proven at trial. These
19 damages include lost income, employment, career opportunities, and undue stress.

20 59. The acts taken toward Plaintiff alleged herein were carried out by Defendants'
21 officers, directors, and/or managing agents acting in a despicable, oppressive, fraudulent,
22 malicious, deliberate, egregious and inexcusable manner and in conscious disregard for the rights
23 and safety of Plaintiff, thereby justifying an award of punitive damages in a sum appropriate to
24 punish and make an example of Defendants, and each of them, pursuant to Civil Code Section
25 3294.

26 60. Plaintiff has incurred and continues to incur legal expenses and attorneys' fees, and
27 hereby requests his attorneys' fees pursuant to Government Code Section 12965.

28

1 **FIFTH CAUSE OF ACTION**

2 **WRONGFUL TERMINATION IN VIOLATION OF PUBLIC POLICY**

3 **(AGAINST META AND DOES 1-50)**

4 61. As a separate and distinct cause of action, Plaintiff complains and re-alleges all the
5 allegations contained in this Complaint, and incorporates them by reference into this cause of
6 Action as though fully set forth herein, excepting those allegations which are inconsistent with this
7 cause of action.

8 62. Pursuant to Government Code Section 12940, it is an unlawful employment practice
9 for an employer to discriminate and/or retaliate against any employee in the terms, conditions, or
10 privileges of employment because of his national origin and/or religion. It is also an unlawful
11 employment practice for an employer to discharge, expel, or otherwise discriminate against any
12 person because the person has opposed any practices forbidden under the FEHA or exercised his or
13 her legal rights thereunder.

14 63. Nevertheless, Defendants violated these public policies by terminating Plaintiff
15 because of his national origin and/or religion, and because he opposed practices forbidden under
16 the FEHA or exercised his legal rights thereunder.

17 64. As a direct and proximate result of Defendants' conduct, Plaintiff has incurred and
18 will continue to incur general and special damages in an amount to be proven at trial. These
19 damages include lost income, employment, career opportunities, and undue stress.

20 65. The acts taken toward Plaintiff alleged herein were carried out by Defendants and
21 their officers, directors, and/or managing agents acting in a despicable, oppressive, fraudulent,
22 malicious, deliberate, egregious and inexcusable manner and in conscious disregard for the rights
23 and safety of Plaintiff, thereby justifying an award of punitive damages in a sum appropriate to
24 punish and make an example of Defendants pursuant to Civil Code Section 3294.

25 66. Defendants' conduct, as alleged, violated FEHA, Government Code section 12900,
26 *et seq.*, and Defendants committed unlawful employment practices by failing to take all reasonable
27 steps to prevent discrimination, harassment, and retaliation on the basis of Plaintiff's national
28 origin and/or religion, in violation of Government Code section 12940(k).

1 action to remedy the situation and thereby acted fraudulently, maliciously, oppressively and with
2 reckless disregard of Plaintiff's rights and safety, and thereby entitling Plaintiff to an award of
3 punitive damages.

4 **SEVENTH CAUSE OF ACTION**

5 **NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**

6 **(AGAINST META AND DOES 1-50)**

7 73. As a separate and distinct cause of action, Plaintiff complains and re-alleges all the
8 allegations contained in this Complaint, and incorporates them by reference into this cause of
9 Action as though fully set forth herein, excepting those allegations which are inconsistent with this
10 cause of action.

11 74. In the alternative, if said conduct of Defendants, and of their agents and employees
12 was not intentional, it was negligent and Plaintiff is thereby entitled to general damages for the
13 negligent infliction of emotional distress.

14 **EIGHTH CAUSE OF ACTION**

15 **UNLAWFUL AND UNFAIR BUSINESS PRACTICES**

16 **(AGAINST META AND DOES 1-50)**

17 75. As a separate and distinct cause of action, Plaintiff complains and re-alleges all the
18 allegations contained in this Complaint, and incorporates them by reference into this cause of
19 Action as though fully set forth herein, excepting those allegations which are inconsistent with this
20 cause of action.

21 76. Defendants' acts and omission, as alleged herein, constitute unfair business practices
22 prohibited by Business & Professional Code § 17200 *et seq.* insofar as META deliberately
23 terminated Plaintiff on the eve of Plaintiff's stock vesting date and annual bonus award, knowing
24 that Plaintiff had rightly earned his annual bonus and stock award through his exceptional work
25 performance.

26 77. As a result of Defendants' unlawful and/or unfair business practices, Defendants
27 reaped unfair and illegal profits at the expense of Plaintiff. Accordingly, Defendants should be
28 disgorged of illegal profits, and Plaintiff is entitled to restitution with interest of such ill-gotten

1 profits in an amount according to proof at the time of trial.

2 78. Defendants' unlawful and/or unfair business practices entitle Plaintiff to preliminary
3 and permanent injunctive relief and other equitable relief available under law.

4
5 **PRAYER FOR RELIEF**

6 Plaintiff FERRAS HAMAD prays for judgment against Defendant META PLATFORMS,
7 INC., and DOE Defendants 1 through 50, on all causes of action as follows:

8 1. For general damages according to proof at trial;

9 2. For special damages according to proof at trial;

10 3. For attorneys' fees pursuant to Government Code Section 12965, the California
11 Labor Code, and any other applicable statutes;

12 4. For exemplary and punitive damages according to proof at trial;

13 5. For all costs of suit herein incurred;

14 6. For an award of interest, including prejudgment interest, as provided by law and
15 according to proof at trial; and

16 7. For such other and further relief as the Court may deem just and proper

17
18 ADDITIONALLY, Plaintiff FERRAS HAMAD demands trial of this matter by jury. The
19 amount demanded exceeds \$25,000.00.

20
21 Dated: June 4, 2024

RASHTIAN LAW GROUP, APC



22
23 Siavash Daniel Rashtian, Esq.

24 Saleem K. Erakat, Esq.

25 Attorneys for Plaintiff Ferras Hamad

EXHIBIT 1



Civil Rights Department

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711
calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

June 4, 2024

Saleem Erakat
15615 Alton Parkway, Suite 450
Irvine, CA 92692

RE: **Notice to Complainant's Attorney**
CRD Matter Number: 202406-24960504
Right to Sue: Hamad / Meta Platforms, Inc.

Dear Saleem Erakat:

Attached is a copy of your complaint of discrimination filed with the Civil Rights Department (CRD) 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, CRD will not serve these documents on the employer. You must serve the complaint separately, to all named respondents. 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. A courtesy "Notice of Filing of Discrimination Complaint" is attached for your convenience.

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

Sincerely,

Civil Rights Department



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June 4, 2024

RE: Notice of Filing of Discrimination Complaint
CRD Matter Number: 202406-24960504
Right to Sue: Hamad / Meta Platforms, Inc.

To All Respondent(s):

Enclosed is a copy of a complaint of discrimination that has been filed with the Civil Rights Department (CRD) 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. 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 CRD is requested or required.

Sincerely,

Civil Rights Department



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June 4, 2024

Ferras Hamad

RE: **Notice of Case Closure and Right to Sue**
CRD Matter Number: 202406-24960504
Right to Sue: Hamad / Meta Platforms, Inc.

Dear Ferras Hamad:

This letter informs you that the above-referenced complaint filed with the Civil Rights Department (CRD) has been closed effective June 4, 2024 because an immediate Right to Sue notice was requested.

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 contact the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this CRD Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Civil Rights Department

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

6 **In the Matter of the Complaint of**

7 Ferras Hamad

CRD No. 202406-24960504

8 Complainant,

9 vs.

10 Meta Platforms, Inc.

11 Respondents

12 **1.** Respondent **Meta Platforms, Inc.** is an **employer** subject to suit under the California Fair
13 Employment and Housing Act (FEHA) (Gov. Code, § 12900 et seq.).

14
15 **2.** Complainant **Ferras Hamad**, resides in the City of , State of .

16 **3.** Complainant alleges that on or about **February 2, 2024**, respondent took the
17 following adverse actions:

18 **Complainant was discriminated against** because of complainant's ancestry, national
19 origin (includes language restrictions), religious creed - includes dress and grooming
20 practices and as a result of the discrimination was terminated.

21 **Complainant experienced retaliation** because complainant reported or resisted any form
22 of discrimination or harassment and as a result was terminated.

23 **Additional Complaint Details:** Claimant was discriminated against, retaliated against and
24 ultimately terminated because of his Palestinian national origin and Muslim faith.

1 VERIFICATION

2 I, **Saleem K. Erakat**, am the **Attorney** in the above-entitled complaint. I have read
3 the foregoing complaint and know the contents thereof. The matters alleged are
4 based on information and belief, which I believe to be true.

5 On June 4, 2024, I declare under penalty of perjury under the laws of the State of
6 California that the foregoing is true and correct.

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Irvine, CA