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VIA FEDERAL EXPRESS

Rosa Salazar
Director
U.S. Equal Employment Opportunity Commission
96 North Third Street, Suite 250
San Jose, CA 95112

Re: **Supplement to the Charge for Andrea Ivan, Request for Related Status to the Charge filed by Vanina Guerrero No. 556-2020-00008 and the Charge filed by Jane Smith No. 556-2020-00064C**

Dear Ms. Salazar:

Please allow the following statement by Andrea Ivan to serve as the supplement to her charge form entitled Claimant Andrea Ivan (“Claimant”) against Respondents DLA Piper LLP (US) (“DLA Piper” or the “Firm”) and certain individual Partners, including, *inter alia*, Louis Lehot (“Respondents”). Respectfully, we request that Ms. Ivan’s charge be considered related to and investigated with the charge filed by Vanina Guerrero against DLA Piper on October 1, 2019¹ and Charge No. 556-2020-00064C filed by Jane Smith on October 21, 2019.

At page three of Ms. Smith’s supplement, she refers to a DLA Piper female employee that Louis Lehot ordered her to fire as “Admin Assistant 1.” Andrea Ivan is Admin Assistant 1.

Statement by Andrea Ivan

My name is Andrea Ivan. I am 65. For over thirty years I have worked as an administrative assistant in a number of positions related to the legal profession, including at large private law firms, in-house legal departments and higher educational institutions. My role is not compensated the same as lawyers, but I take great pride in my work and in my ability to provide legal administrative support. In early 2016 I started work at DLA Piper in the Silicon Valley group. My title was “project team specialist” and I worked in the Palo Alto office. My immediate supervisor was Jennifer Beckey, the regional Administration Director, a position in the Human Resources (“HR”) department.

¹ Vanina Guerrero filed an EEOC Charge earlier this month in the San Jose office. Ms. Guerrero’s EEOC Charge number is 556-2020-00008 (“Guerrero Charge”).

I read the supplement to Charge No. 556-2020-00064C submitted on October 21, 2019 to your office by Jane Smith. I am the female employee described as “Admin Assistant 1.” Everything that Ms. Smith said in connection to what happened to me is true. I was unlawfully targeted by Louis Lehot (“Lehot”), a senior partner that worked from the Palo Alto office, who decided that I was too old or not attractive enough for his tastes or both, and wanted me gone. Although I suspected that Lehot bullied women in HR to terminate me, until I read Ms. Smith’s account of her experiences, I had no idea that Lehot would fire a senior HR manager because she spoke out on my behalf. I am disgusted and sad that she was fired because she tried to protect me from Lehot. I hope that a description of my experiences at DLA Piper and with Lehot assist you in the investigation of misconduct directed at female employees in the Silicon Valley group.

My performance reviews for 2016, 2017 and through the majority of 2018 were excellent. Something changed in the fall of 2018. At that time, Lehot was promoted to Co-Managing Partner of the Silicon Valley group. Everyone said that he brought in the most money. But after Lehot was named Co-Managing Partner, he became the most powerful DLA Piper lawyer in San Francisco, Palo Alto and Sacramento. All of the administrative assistants knew about Lehot’s excessive temper. We were all afraid of him. Like all of the other admin assistants, all women, I tried to avoid Lehot as much as possible.

In late October 2018, for the first time, I was told by Ms. Beckey that “issues” about me had been raised. I had no idea what she was referring to because I had not received any complaints about work I had done. Ms. Beckey said that Ute Krudewagen, a female partner, had complained about me. Despite my repeated requests for information about the work I allegedly did that was wrong, nothing was ever explained or given to me about it. I suspected that Lehot simply “decided” that he no longer wanted me around the office, but I was too afraid to say that to anyone. I cannot describe how humiliating and awful it was to read Ms. Smith’s allegations about Lehot’s mandate to fire me regardless of my performance. The way she described it is exactly what happened. DLA Piper employees followed Lehot’s orders and I was transferred to work from the San Francisco office in early 2019. One day in about March 2019, I looked up from my desk and saw Lehot sitting in an office for visiting lawyers directly across the hall, facing me. Lehot looked up and saw me. His face turned red. He stood up, ran to the door and slammed it – effectively in my face, although I was still at my desk. I was in shock. The other administrative assistants around me laughed nervously. No one said a thing. All the admin assistants were terrified of Lehot. Several weeks later, I received a Performance Improvement Plain (“PIP”) from Ms. Beckey. The PIP contained fabricated, contrived accusations about things I allegedly did wrong. What was said about my performance was so untrue that I submitted a lengthy written rebuttal and refused to sign it. Ms. Beckey and other HR employees (all women) micro-managed every task I did each day, all-day. Although I knew what these women were saying about my work product was false, I still felt humiliated, ashamed and became physically sick because I knew they would fire me within days. My last day was May 2, 2019.

Denial of Unemployment, My Appeal and the Decision against DLA Piper

In May 2019 I applied for unemployment. DLA Piper objected and refused to pay. After learning that my benefits were denied, on June 4, 2019, I filed a *pro se* appeal. I submitted a written statement and many documents in support. On August 12, 2019, a hearing was held before Administrative Law Judge Kathryn Sure. I represented myself. DLA Piper sent Ms. Beckey and a newly hired HR manager Tricia Newman. I had never met Ms. Newman before. Among the insulting things that Ms. Beckey said was that I could have reached out to Ms. Smith for help but failed to do so. This is shocking. Ms. Beckey was involved in discussions with Ms. Smith about Lehot wanting me fired even though there was no basis to fire me. Ms. Beckey also knew that Ms. Smith was fired because she refused to fire me. But Ms. Beckey told Judge Sure that Ms. Smith could have helped me if I had contacted her. Contrary to Ms. Smith's Charge, Ms. Beckey falsely told Judge Sure that Lehot was not the reason I was fired.

At the hearing, I told Judge Sure that I did not consider going to HR as a safe option for me. I struggled to give her proof that it was Lehot because I never could have asked other employees if he was the reason. I also told Judge Sure that because there was not enough work to go around in the Silicon Valley group for admins, that maybe DLA Piper needed to lay off employees but wanted to hide the fact about lack of work. Ultimately, Judge Sure ruled that DLA Piper should not have objected to my unemployment benefits request. Judge Sure ordered DLA Piper to pay me the \$2200 (Two thousand two hundred dollars) owed. It is disgraceful that DLA Piper bowed down to Lehot and spent time, money and resources to fire me because I am not as young or as attractive as Lehot believes female admin assistants should be. I should not have had to spend time and effort to get the \$2200 that DLA Piper should have paid me in the first place.

I am speaking out and seek an investigation into DLA Piper because I believe that other female employees were treated unlawfully by Lehot and employees that did what he said, even when they knew it was against the law. Lehot makes more money than me, I understand that. But Lehot should not be allowed to trample junior employees' rights just because he feels like it. The other partners, associates, and HR managers that looked the other way and allowed Lehot to treat me this way should be held responsible. I remember a coworker telling me that Lehot's new admin assistant was "young and hot." This should not be the standard for hiring any employee, and it should not have been the standard for why I was targeted for termination. Thank you for reviewing my case.

Andrea Ivan

EEOC Investigation of DLA Piper

In the four weeks since Ms. Guerrero filed her Charge against DLA Piper, three other former female employees have spoken out. In September 2018, DLA Piper promoted Lehot to the position of Co-Managing Partner of the Silicon Valley group when multiple partners, associates, and support staff witnessed Lehot's tirades and bullying on a regular basis. Evidence of Lehot's

pattern of demeaning and bullying misconduct towards female employees, coupled with DLA Piper's deliberate indifference or apparent willingness to allow it to happen, is probative as to the claims by Ms. Guerrero, Ms. Smith and Ms. Ivan, and as to the issue of whether a heightened risk of sexual harassment or gender discrimination exists within the Silicon Valley practice group.

A work atmosphere that depicts a "general fear by women employees at the office" is unlawful and unacceptable. Ms. Smith describes an office party in 2018 during which Lehot, grossly drunk, and in front of everyone, physically tried to get his former admin assistant in a "bear hug" as he professed his love for her. Ms. Smith alleges that she was so terrified of Lehot that there were days that she sat in her car in the parking lot outside of the Palo Alto office afraid to go in because she knew Lehot was there. Leah Christensen submitted a statement to you that included facts about her personal experience with Lehot when he yelled and cursed in the office and that he acted above the law. Ms. Christensen also alleged that when she complained to another lawyer in the general counsel's office about Lehot calling her a "dumb bitch" nothing was done." Ms. Ivan alleges that she failed to meet Lehot's "young and hot" standards, and that she was too afraid to talk to anyone about Lehot. Ms. Guerrero alleges *inter alia* that beginning in September 2018, on at least three business trips, she was sexually assaulted by Lehot. Standing alone, the allegations by these women are serious. Collectively, it is implausible that DLA Piper elected Lehot to such a coveted senior position without knowledge of his discriminatory treatment towards female employees. Respectfully, on behalf of Ms. Ivan, Ms. Guerrero and Ms. Smith, we renew our request that the EEOC investigate the claims against DLA Piper on a class-wide basis. Unquestionably, Lehot terrorized countless female employees in the Silicon Valley group, and employees in management positions facilitated his misconduct.

In connection with Ms. Ivan's Charge, we attach Judge Sure's written decision. We also will submit to you the audio recording of the hearing held on August 12, 2019, Ms. Ivan's appeal statement and her documents attached in support.

Respectfully,



Jeanne M. Christensen