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4 Attorneys for Plaintiff Nancy Lynn Perkins

5 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**
6 **COUNTY OF LOS ANGELES – CENTRAL DISTRICT**
7 **UNLIMITED CIVIL JURISDICTION**

9 NANCY LYNN PERKINS, an individual,

10 Plaintiff,

11 v.

12 KIRKLAND & ELLIS LLP, an Illinois
Limited Liability Partnership, and DOES
13 1-20, inclusive

14 Defendants.

CASE NO. 20STCV25461

**PLAINTIFF NANCY LYNN PERKINS' FIRST
AMENDED COMPLAINT AGAINST
DEFENDANT KIRKLAND & ELLIS LLP
FOR:**

1. **Age Discrimination**
[CGC §12940(a)]
2. **Disability Discrimination**
[GC §12940(a)]
3. **Failure to Provide Accommodation**
[GC §12940(m)]
4. **Failure to Engage in an Interactive
Process** [GC §12940(n)]
5. **Failure to Prevent Discrimination**
[GC §12940(k)]
6. **Retaliation** [GC §12940(h)]
7. **Wrongful Termination in Violation
of Public Policy**

JURY TRIAL DEMANDED

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25 Plaintiff, Nancy Lynn Perkins, (hereinafter, "Plaintiff Perkins" or "Ms. Perkins"), hereby
26 files her First Amended Complaint for age discrimination, disability discrimination, retaliation,
27 failure to engage in an interactive process, failure to provide accommodation, failure to prevent
28 discrimination, and wrongful termination in violation of public policy against Defendants

CASE NO. 20STCV25461

PLAINTIFF PERKINS' FIRST AMENDED
COMPLAINT AGAINST DEFENDANT
KIRKLAND & ELLIS LLP

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Kirkland & Ellis LLP, an Illinois Limited Liability Company (hereinafter, “Kirkland & Ellis” or “K&E”) and DOES 1-20, inclusive, and alleges as follows:

THE PARTIES

1. Plaintiff Nancy Lynn Perkins was born in November of 1959 and was, at all times herein mentioned, an individual residing in Los Angeles County. From October of 1990 until August 9, 2019, Plaintiff Perkins was employed by Defendant Kirkland & Ellis in their Downtown Los Angeles office, which is presently located at 555 South Flower Street, Suite 3700, Los Angeles, CA 90071.

2. Defendant Kirkland & Ellis LLP is, upon information and belief, an Illinois Limited Liability Partnership doing business in California in, *inter alia*, Los Angeles County, California. Defendant Kirkland & Ellis LLP employs more than five persons as defined by California Fair Employment and Housing Act (“FEHA”).

3. The true names and capacities of the Defendants sued herein as Does 1 through 20, inclusive, are unknown to Plaintiff at the present time and are therefore named by such fictitious names. Plaintiff will amend her Complaint to allege the true names and capacities of these Defendants when they have been determined. Each of the fictitiously named Defendants is in some way liable to Plaintiff, and are believed to be agent(s) and/or employee(s) of Defendant Kirkland & Ellis working within the scope of their employment, or else are alter egos of Kirkland & Ellis LLP.

JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction pursuant to California Constitution Article VI, section 10, because this case is a dispute not given by statute to other trial courts, and because the amount in controversy far exceeds \$25,000.

5. This Court has personal jurisdiction over Defendant Kirkland & Ellis LLP and DOES 1 through 20, inclusive, because its unlawful acts were, in substantial part, performed in Los Angeles County.

1 any training for these “new positions,” much less refused it. All of the employees affected by
2 this so-called “reduction in force” were over 55 years old and were, in fact, the oldest workers in
3 the department. After firing the oldest workers in the department, and hiring new people for
4 these “new positions” (likely younger workers, and for a much lower rate of pay), there were, in
5 fact, more people working in the department, not less. This was not a reduction in force, it was a
6 growth in force. Ms. Perkins submits the facts and circumstances underlying her termination by
7 Kirkland & Ellis will support findings that it was discriminatory, retaliatory, wrongful, and
8 downright malicious.

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10 **STATEMENT OF FACTS**

11 9. In or around October of 1990, Kirkland & Ellis hired Ms. Perkins as a Legal
12 Assistant in its Los Angeles office. Ms. Perkins’ responsibilities were to assist attorneys in the
13 preparation of cases for trial in both federal and state courts, often for Fortune 500 companies,
14 with millions, tens of millions, and hundreds of millions of dollars at stake. The work was
15 demanding, often requiring Ms. Perkins to work for months on end with no days off, and it often
16 required her to work for stretches of 24 hours or more, and it further required her to travel
17 outside Los Angeles to provide direct support to trial teams. Over the course of her storied
18 career at Kirkland & Ellis, Ms. Perkins provided direct support for dozens of trials in federal and
19 state courts throughout the United States, and an equal number of arbitrations and mediations.
20 Ms. Perkins’ job evaluations were consistently outstanding, with attorneys offering glowing
21 praise for her work, and she was given raises and promotions throughout her career. There can
22 be no claim in this case that Ms. Perkins was not meeting, or exceeding, the lofty expectations
23 set by the Firm.

24 10. Ms. Perkins was particularly adept at using new technologies to manage the vast
25 amounts of information connected with these cases. This made Ms. Perkins special, in that she
26 not only knew what was needed to present cases to judges, juries, and arbitrators, she also knew
27 how to use technology to manage information and get the attorneys the evidence they needed to
28 win cases for their clients. In fact, Ms. Perkins’ innovative approach to solving

1 litigation/informational problems through the use of technology was recognized by the *American*
2 *Lawyer* in its March 2005 article entitled “*Winning Ways: the Three-Month Trial that Produced*
3 *a Stunning \$560 million Verdict Against Medtronic. An Inside Look at How Technology Helped*
4 *Streamline and Shape the Case.*”

5 11. Over the course of her career, Ms. Perkins, either through self-study, formal
6 training courses, and legal seminars, learned and then mastered numerous software programs and
7 technologies related to litigation support. In addition, Ms. Perkins wrote custom code for various
8 standard applications that Kirkland & Ellis was already using to more efficiently manage their
9 litigations. In short, there was no litigation support technology presented to Ms. Perkins, from
10 the beginning of her career, until her termination that she could not quickly learn, master, and, if
11 necessary, customize to Kirkland & Ellis’ specific needs.

12 12. In or around October of 2018, Ms. Perkins informed Kirkland & Ellis (by and
13 through her direct supervisor and its FMLA Coordinator) that she needed to take a medical leave
14 for surgery to repair a cerebral spinal fluid leak. During her treatment, Ms. Perkins was told that
15 her cerebral spinal fluid leak could be caused by stress. Ms. Perkins left on an approved FMLA
16 leave on February 4, 2019 so that a Left Transmastoid/Middle Fossa Craniotomy could be
17 performed on her. Ms. Perkins underwent this surgery on February 6, 2019, and she returned to
18 work at Kirkland & Ellis on April 1, 2019 even though, due to her underlying condition, there
19 was now a record that she was suffering from a substantially limiting impairment of her major
20 life activities. Although some employees of Kirkland & Ellis did reach out and ask how she was
21 doing, nobody in administration or Human Resources asked Ms. Perkins if she needed any
22 accommodations due to her medical condition/disability.

23 13. In fact, far from accommodating her and her condition, Kirkland & Ellis instead
24 informed her that they were going to “restructure” the Litigation Support Department, and that
25 she would need to reapply for her job. Ms. Perkins informed Kirkland & Ellis, through her direct
26 supervisor, that she would likely need to take a further medical leave later in the year for a
27 surgery related to another medical condition, which she had postponed due to her brain surgery,
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1 and once again, nobody at Kirkland & Ellis engaged her in any kind of process, much less
2 interactive, about accommodations she might need to continue to perform her work despite these
3 disabilities.

4 14. Kirkland & Ellis then proceeded to implement a sham process to disqualify Ms.
5 Perkins from any future work at the Firm. First, they asked her to complete an online
6 application, create and upload a resume, take a mandatory online course in advanced data
7 analytics, pass a test to obtain a Brainspace Analyst Certification, and then participate in a video
8 conferenced interview, and take a timed test in an eDiscovery database application called
9 Relativity. At no point during this sham process did Kirkland & Ellis ask Ms. Perkins if she
10 needed any accommodations. After completing the online application, submitting her resume,
11 and passing the test to obtain her Brainspace Analyst Certification, Kirkland & Ellis then
12 conducted a video interview which could only be characterized as a Stepford interview; the
13 interviewers read from a list of prepared questions, there were no follow-up questions, and after
14 each response from Ms. Perkins, the interviewers would simply state, in a robotic manner,
15 “Thank You,” as if the response did not matter at all. In or around July 23, 2019, Kirkland &
16 Ellis began conducting the timed tests in *Relativity*; again, nobody at Kirkland & Ellis ever
17 bothered to ask if Ms. Perkins required any accommodations due to her medical
18 condition/disability. Ms. Perkins completed the timed test and awaited the results.

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15. On or around August 8, 2019, Kirkland & Ellis called Ms. Perkins into a meeting
with two other employees. At this meeting, Ms. Perkins learned, along with two other
employees, that she would not be offered one of the “new jobs” in Litigation Support. Again, the
job description for this “new job” was nearly identical to the job description for the position Ms.
Perkins had been performing since June of 2004. Ms. Perkins was given one hour to vacate the
premises after nearly thirty years of dedicated service to Kirkland & Ellis.

16. Ms. Perkins later learned that when employees asked a Human Resources
Director, in an open meeting, why Ms. Perkins was not offered one of these “new positions,” the
Human Resources Director responded Ms. Perkins was not eligible because she had refused

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and/or failed to complete certain training, which was untrue – Ms. Perkins was never offered any training for these “new positions,” much less refused it.

17. All of the employees affected by this so-called “reduction in force” were over 55 years old and were, in fact, the oldest workers in the department. After firing the oldest workers in the department, and hiring new people for these “new positions” (likely younger, at a lower rate of pay), there were, in fact, more people working in the department, not less. This was not a reduction in force, it was a growth in force. Finally, in the paperwork Ms. Perkins was given as to the ages of the employees who were terminated, the ages were listed “as of July 15, 2019,” which is before the timed test even took place. In other words, Kirkland & Ellis knew before the timed *Relativity* test was even administered, which candidates would not be offered positions. Again, this was a sham process from Day One.

18. Ms. Perkins submits the facts and circumstances underlying her termination by Kirkland & Ellis will support findings that it was discriminatory, retaliatory, wrongful, and downright malicious. For all the foregoing reasons, and with great regret given her long and storied career at Kirkland & Ellis, Ms. Perkins hereby brings this Complaint and the following causes of action against Defendant, and DOES 1-20, inclusive:

FIRST CAUSE OF ACTION

(For Age Discrimination Against All Defendants)

19. Plaintiff Perkins realleges and incorporates by reference all of the allegations set forth in paragraphs 1 through 18 as though fully set forth herein.

20. This cause of action is brought pursuant to CALIFORNIA GOVERNMENT CODE §12940(a) which prohibits discrimination against a person in terms and conditions or privileges of employment on the basis of age, and the corresponding regulations of the California Fair Employment and Housing Commission, or its successor.

21. At all times herein mentioned, Defendant Kirkland & Ellis LLP employed five or more persons, bringing said Defendant employer within the provision of CALIFORNIA

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GOVERNMENT CODE §12900 et seq. which prohibits employers or their agents from discriminating against employees on the basis of age.

22. Plaintiff is a member of a protected class within the meaning of the aforementioned Government Code sections. At all relevant times herein, Plaintiff satisfactorily performed her duties and responsibilities as expected by Defendant and, in fact, exceeded those expectations by her performance.

23. Plaintiff alleges that on or about August 9, 2019, Defendant Kirkland & Ellis wrongfully retaliated against her, discriminated against her, and terminated her on the basis of her age.

24. As a proximate result of Defendants' discriminatory conduct, Plaintiff has sustained and continues to sustain substantial loss in past, present and future earnings, career opportunities, bonuses and other employment benefits, in amounts to be proven at trial. Plaintiff's damages include all consequential, general and special economic damages in amounts to be proven at trial.

25. As a further proximate result of Defendants' discriminatory conduct, Plaintiff has suffered and continues to suffer humiliation, severe emotional distress and mental and physical pain and anguish, all to her damage in a sum according to proof.

26. The foregoing acts of Defendants were oppressive, malicious, and despicable, and Plaintiff is, therefore, entitled to an award of punitive damages against Defendants in an amount to be proven at trial.

SECOND CAUSE OF ACTION

(For Disability Discrimination Against All Defendants)

27. Plaintiff Perkins realleges and incorporates by reference all of the allegations set forth in paragraphs 1 through 26 as though fully set forth herein.

28. This cause of action is brought pursuant to CALIFORNIA GOVERNMENT CODE § 12940(a) which prohibits discrimination against a person in terms, conditions or

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privileges of employment on the basis of disability, and the corresponding regulations of the California Fair Employment and Housing Commission, or its successor.

29. At all times herein mentioned, Defendant Kirkland & Ellis employed five or more persons, bringing said Defendant employer within the provision of CALIFORNIA GOVERNMENT CODE § 12900 et seq., prohibiting employers or their agents from discriminating against employees on the basis of disability.

30. Plaintiff is a member of a protected class within the meaning of the aforementioned GOVERNMENT CODE sections. At all relevant times herein, Plaintiff satisfactorily performed her duties and responsibilities as expected by Defendants and, in fact, exceeded those expectations by her performance.

31. Plaintiff alleges that on or about August 9, 2019, Defendant Kirkland & Ellis wrongfully retaliated against her, discriminated against her, and terminated her on the basis of her disability.

32. As a proximate result of Defendants' discriminatory conduct, Plaintiff has sustained and continues to sustain substantial loss in past, present and future earnings, career opportunities, bonuses and other employment benefits, in amounts to be proven at trial. Plaintiff's damages include all consequential, general and special economic damages in amounts to be proven at trial.

33. As a further proximate result of Defendants' discriminatory conduct, Plaintiff has suffered and continues to suffer humiliation, severe emotional distress and mental and physical pain and anguish, all to her damage in a sum according to proof.

34. The foregoing acts of Defendants were oppressive, malicious, and despicable, and Plaintiff is, therefore, entitled to an award of punitive damages against Defendants in an amount to be proven at trial.

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THIRD CAUSE OF ACTION

(For Failure to Provide Accommodation)

35. Plaintiff Perkins incorporates and realleges paragraphs 1 through 34 as though fully set forth herein.

36. This cause of action is brought pursuant to CALIFORNIA GOVERNMENT CODE §12940(m) which provides that it is an unlawful employment practice "[f]or an employer or other entity covered by this part to fail to make reasonable accommodation for the known physical or mental disability of an applicant or employee".

37. On or about April 1, 2020, at the time that Plaintiff returned to work from her brain surgery, she advised Defendant she would likely need medical leave for additional surgeries for this conditions and others. Defendants were aware, or should have been aware, of the restrictions on Plaintiff which would limit her ability to perform her job duties.

38. At such time, Defendants were under a duty to take affirmative steps to offer Plaintiff accommodation, including but not limited to additional time to respond to test questions, as well as additional time off for other surgeries.

39. As a proximate result of Defendants' wrongful conduct, Plaintiff has sustained and continues to sustain substantial loss in past, present and future earnings, career opportunities, bonuses and other employment benefits, in amounts to be proven at trial. Plaintiffs damages include all consequential, general and special economic damages in amounts to be proven at trial.

40. Defendants' conduct in failing to provide reasonable accommodation was a substantial factor in causing Plaintiff to suffer and continues to suffer humiliation, severe emotional distress and mental and physical pain and anguish, all to her damage in a sum according to proof.

41. The foregoing acts of Defendants were oppressive, malicious, and despicable, and Plaintiff is, therefore, entitled to an award of punitive damages against Defendants in an amount to be proven at trial.

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FOURTH CAUSE OF ACTION

(For Failure to Engage in an Interactive Process)

42. Plaintiff Perkins incorporates and realleges paragraphs 1 through 41 as though fully set forth herein.

43. This cause of action is brought pursuant to CALIFORNIA GOVERNMENT CODE § 12940(n) which provides that it is an unlawful employment practice "[f]or an employer or other entity covered by this part to fail to engage in a timely, good faith, interactive process with the employee or applicant to determine effective reasonable accommodations, if any, in response to a request for reasonable accommodation by an employee or applicant with a known physical or mental disability of known medical condition".

44. On or about April 1, 2019, after she returned from brain surgery, Plaintiff advised Defendant she would likely need additional medical leave for this and for other medical conditions. Defendants were aware of Plaintiffs medical condition.

45. On or about August 19, 2019, rather than engage in an interactive process to determine a reasonable accommodation for Plaintiff, including but not limited to additional time to take tests, and additional disability leave, Defendants instead unjustifiably terminated Plaintiff.

46. As a proximate result of Defendant's wrongful conduct, Plaintiff has sustained and continues to sustain substantial loss in past, present and future earnings, career opportunities, bonuses and other employment benefits, in amounts to be proven at trial. Plaintiffs damages include all consequential, general and special economic damages in amounts to be proven at trial.

47. Defendants' conduct in failing to engage in an interactive process was a substantial factor in causing Plaintiff to suffer and continues to suffer humiliation, severe emotional distress and mental and physical pain and anguish, all to her damage in a sum according to proof.

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48. The foregoing acts of Defendants were oppressive, malicious, and despicable, and Plaintiff is, therefore, entitled to an award of punitive damages against Defendants in an amount to be proven at trial.

FIFTH CAUSE OF ACTION

(For Failure to Prevent Discrimination)

49. Plaintiff realleges and incorporates herein by reference all of the allegations set forth in paragraphs 1 through 48 as though fully set forth herein.

50. Defendant had a statutory duty, pursuant to CALIFORNIA GOVERNMENT CODE § 12940(k) to take all reasonable steps necessary to prevent discrimination from occurring in the workplace.

51. Defendant breached their statutory duty of care to Plaintiff by failing to take all reasonable steps necessary to prevent the discrimination experienced by Plaintiff, ultimately resulting in her wrongful termination.

52. As a proximate result of Defendants' discriminatory conduct, Plaintiff has sustained and continues to sustain substantial loss in past, present and future earnings, career opportunities, bonuses and other employment benefits, in amounts to be proven at trial. Plaintiff's damages include all consequential, general and special economic damages in amounts to be proven at trial.

53. As a further proximate result of Defendants' discriminatory conduct, Plaintiff has suffered and continues to suffer humiliation, severe emotional distress and mental and physical pain and anguish, all to her damage in a sum according to proof.

54. The foregoing acts of Defendants were oppressive, malicious, and despicable, and Plaintiff is, therefore, entitled to an award of punitive damages against Defendants in an amount to be proven at trial.

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SIXTH CAUSE OF ACTION

(Retaliation Against All Defendants)

55. Plaintiff realleges and incorporates herein by reference all of the allegations set forth in paragraphs I through 54 as though fully set forth herein.

56. Plaintiff believes and thereon alleges that Defendants' adverse actions taken against him as set forth herein occurred in retaliation for Plaintiff claiming a heart condition that would have restricted her work activities in the future and for which she sought a legally mandated disability leave. Such retaliatory actions are unlawful, discriminatory and retaliatory in violation of CALIFORNIA GOVERNMENT CODE § 12940 et seq. and have resulted in damages and injury to Plaintiff as alleged herein.

57. As a proximate result of Defendants' retaliatory acts, Plaintiff has sustained and continues to sustain substantial loss in past, present and future earnings, career opportunities, bonuses and other employment benefits, in amounts to be proven at trial. Plaintiffs damages include all consequential, general and special economic damages in amounts to be proven at trial.

58. As a further proximate result of Defendants' retaliatory acts, Plaintiff has suffered and continues to suffer humiliation, severe emotional distress and mental and physical pain and anguish, all to her damage in a sum according to proof.

59. The foregoing acts of Defendants were oppressive, malicious, and despicable, and Plaintiff is, therefore, entitled to an award of punitive damages against Defendants in an amount to be proven at trial.

SEVENTH CAUSE OF ACTION

(For Wrongful Termination in Violation of Public Policy)

60. Plaintiff realleges and incorporates herein by reference all of the allegations set forth in paragraphs 1 through 59 as though fully set forth herein.

61. On or about August 9, 2019, Nancy was 59 years old.

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2 62. On or about August 9, 2019, Nancy was suffering from medical conditions, for
3 which she had requested medical leave.

4 63. From April 1, 2019 to August 9, 2019, Defendants refused to provide
5 accommodation to Plaintiff for her known medical conditions.

6 64. From April 1, 2019 to August 9, 2019, Defendants refused to engage in an
7 interactive process to determine a reasonable accommodation for Plaintiff, including but not
8 limited to additional time for testing and for additional leave to treat her other medical
9 conditions.

10 **PRAYER FOR RELIEF**

11 WHEREFORE, PREMISES AND CAUSES OF ACTION CONSIDERED, Plaintiff
12 prays for judgment in her favor and the following relief:

13 FOR ALL CAUSES OF ACTION:

- 14 1. Compensatory damages, including loss of wages (front and back pay), career opportunities,
15 benefits and other opportunities of employment;
- 16 2. Special damages in a sum to be proven at trial;
- 17 3. Punitive damages in a sum to be proven at trial;
- 18 4. Interest, including pre-judgment interest, thereon at the legal rate, including but not limited to
19 Civil Code §3291;
- 20 5. Attorney's fees according to proof, pursuant to California Government Code § 12965, or other
21 applicable statutes or contracts;
- 22 6. Costs of suit incurred herein; and
- 23 7. Such other and further relief as to the Court may seem just and proper.

24 Dated: August 14, 2020

25 By: 
26 Robert C. Matz (California State Bar No. 217822)
27 MATZ LAW GROUP
28 2329 Central Avenue, Suite 200
Alameda, California 94501
Telephone: (510) 710--1071
E-mail: robert@matzlawgroup.legal

Attorneys for Plaintiff Nancy Lynn Perkins

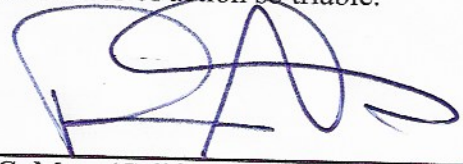
CASE NO. 20STCV25461

14 PLAINTIFF PERKINS' FIRST AMENDED
COMPLAINT AGAINST DEFENDANT
KIRKLAND & ELLIS LLP

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DEMAND FOR TRIAL BY JURY

Plaintiff hereby demands a trial by jury as to all causes of action so triable.



Dated: August 14, 2020

By: _____
Robert C. Matz (California State Bar No. 217822)
MATZ LAW GROUP
2329 Central Avenue, Suite 200
Alameda, California 94501
Telephone: (510) 710--1071

E-mail: robert@matzlawgroup.legal

Attorneys for Plaintiff Nancy Lynn Perkins

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ROBERT@MATZLAWGROUP.LEGAL

Exhibit 1

Robert Matz

From: KATHLEEN GILLIAM <KATHLEEN.GILLIAM@EEOC.GOV>
Sent: Thursday, April 9, 2020 8:15 AM
To: Robert Matz
Subject: RE: EEOC Charge Perkins vs Kirkland Ellis 480-2020-00060
Attachments: 2020-04-07 NRTS Perkins 00060.pdf

Hello Mr. Matz. Attached is the Dismissal and RTS for Ms. Perkins. The case is closed and the EEOC will take no further action on the charge. Please let me know if you need further assistance, Thank you,

Kathleen Gilliam
Investigative Service Assistant
U.S. Equal Employment Opportunity Commission
255 E Temple St. 4th Floor
Los Angeles CA 90012
[213 894-1012](tel:2138941012)
[213 894-1118](tel:2138941118) Fax

From: KATHLEEN GILLIAM
Sent: Tuesday, April 07, 2020 9:22 AM
To: Robert Matz <robert@matzlawgroup.legal>
Subject: RE: EEOC Charge Perkins vs Kirkland Ellis 480-2020-00060

Hello Mr. Matz. Mediators have no authority to process a request for a right to sue. If you submitted a written request, the mediator should have forwarded it to our enforcement department to process. I will process your request right away. Management has to sign off but it shouldn't take more than a few days at most. I will email the right to sue to you when it's ready.

Thanks,

Kathleen Gilliam
Investigative Service Assistant
U.S. Equal Employment Opportunity Commission
255 E Temple St. 4th Floor
Los Angeles CA 90012
[213 894-1012](tel:2138941012)
[213 894-1118](tel:2138941118) Fax

From: Robert Matz <robert@matzlawgroup.legal>
Sent: Tuesday, April 07, 2020 9:00 AM
To: KATHLEEN GILLIAM <KATHLEEN.GILLIAM@EEOC.GOV>
Subject: Re: EEOC Charge Perkins vs Kirkland Ellis 480-2020-00060

Kathleen:

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Nancy Perkins
C/O Robert Matz
MATZ LAW GROUP
2329 Central Ave, Ste. 200
Alameda, CA 94501

From: Los Angeles District Office
255 E. Temple St. 4th Floor
Los Angeles, CA 90012

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.	EEOC Representative	Telephone No.
480-2020-00060	Patricia Kane, Enforcement Manager	(213) 894-1021

(See also the additional information enclosed with this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA): This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA **must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

- More than 180 days have passed since the filing of this charge.
- Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.
- The EEOC is terminating its processing of this charge.
- The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, **the paragraph marked below applies to your case:**

- The EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice**. Otherwise, your right to sue based on the above-numbered charge will be lost.
- The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission
Digitally signed by Patricia Kane
DN: cn=Patricia Kane, o=Equal
Employment Opportunity Commission,
ou=Los Angeles District Office,
email=patricia.kane@eeoc.gov, c=US
Date: 2020.04.07 14:00:13 -07'00'

FOR 4/7/20

Enclosures(s)

Rosa M. Viramontes,
District Director

(Date Mailed)

cc: Tracy Billows
Partner
SEYFARTH SHAW
233 S Wacker Dr, #8000
Chicago, IL 60606

Exhibit 2



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
(800) 884-1684 (Voice) | (800) 700-2320 (TTY) | California's Relay Service at 711
<http://www.dfeh.ca.gov> | Email: contact.center@dfeh.ca.gov

August 5, 2020

Nancy Perkins
2329 Central Avenue, Suite 200
Alameda, California 94501

RE: **Notice of Case Closure and Right to Sue**
DFEH Matter Number: 202008-10877605
Right to Sue: Perkins / Kirkland & Ellis LLP

Dear Nancy Perkins,

This letter informs you that the above-referenced complaint was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective August 5, 2020 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 contact 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