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SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA

FELIPE ARBALLO,  
  
Plaintiff,  
  
vs.  
  
CHARLES SCHWAB & CO., INC., a California  
corporation, ROB BOYD, an individual, and  
Does 1 through 20, inclusive,  
  
Defendants.

Case No. 25CV461182  
  
**COMPLAINT FOR DISABILITY  
DISCRIMINATION AND FAILURE  
TO PREVENT DISCRIMINATION IN  
VIOLATION OF THE FAIR  
EMPLOYMENT AND HOUSING ACT,  
RETALIATION FOR POLITICAL  
ENGAGEMENT AND FALSE  
INDUCEMENT TO RELOCATE IN  
VIOLATION OF LABOR CODE,  
WRONGFUL TERMINATION IN  
VIOLATION OF PUBLIC POLICY,  
DEFAMATION, PUNITIVE  
DAMAGES AND ATTORNEYS' FEES**

**REQUEST FOR JURY TRIAL**

COMES NOW Plaintiff, Felipe Arballo, and alleges as follows:

**GENERAL ALLEGATIONS**

1. Plaintiff, Felipe Arballo (hereinafter referred to as "Plaintiff"), is an adult male residing in Santa Clara County, California, and was an employee of Defendant, Charles Schwab & Co., Inc. (hereinafter referred to as "Employer"), commencing employment on or August 23, 2024, until he was wrongfully terminated on or about November 20, 2024.

2. Defendant, Charles Schwab & Co., Inc., is a California corporation doing business in Santa Clara County. Defendant, Charles Schwab & Co., Inc., was and is, at all times herein mentioned, an employer within the meaning of California Government Code §12926(d) and, as such, was and is statutorily prohibited from discriminating in employment decisions on the bases set forth

1 in California Government Code §12940 and from retaliating against an employee for reporting and  
2 opposing discrimination and harassment.

3 3. Defendant, Rob Boyd, an individual, was at all times relevant hereto, a supervisor  
4 and/or a managing agent and employee of Defendant, Employer, in Santa Clara County, and, Plaintiff  
5 alleges on information and belief, was and is a resident of Santa Clara County, California. Defendant,  
6 Rob Boyd, as Defendant, Employer's supervisor, had supervisory authority and was Plaintiff's  
7 supervisor, within the meaning of Government Code §12926®.

8 4. The true names and capacities of the Defendants named herein as Does 1 through 20,  
9 inclusive, whether individual, corporate, associate or otherwise, are unknown to the Plaintiff who,  
10 therefore, sues such Defendants by fictitious names pursuant to California Code of Civil Procedure  
11 §474. Plaintiff is informed and believes, and on that basis alleges that each Defendant sued under  
12 such fictitious name is in some manner responsible for the wrongs and the damages as alleged below,  
13 and in so acting was functioning as the owner, shareholder, agent, servant, partner, joint venturer,  
14 alter-ego, employee, proxy, managing agent, and principal of the co-Defendants, and in acting as  
15 mentioned below acted at least in part, within the course and scope of his authority as such agent,  
16 servant, proxy, partner, joint venturer, employee, alter-ego, managing agent, and principal with the  
17 permission and consent of the co-Defendants.

18 5. Plaintiff is informed and believes, and thereupon alleges, that each of the Defendants  
19 sued herein was, at all times relevant hereto, the employer, owner, shareholder, principal, joint  
20 venturer, proxy, agent, employee, supervisor, representative, manager, managing agent, joint employer  
21 and/or alter-ego of the remaining Defendants, and was acting, at least in part, within the course and  
22 scope of such employment and agency, with the express and implied permission, consent and  
23 knowledge, approval and/or ratification of the other Defendants. The above Co-Defendants and  
24 managing agents and supervisors aided, abetted, condoned, permitted, wilfully ignored, approved,  
25 authorized and/or ratified the unlawful acts described herein.

26 6. Venue is proper in this county because the employment relationship between Plaintiff  
27 and Defendant, Employer, arose and was performed in Santa Clara County, California. This court is  
28 the proper court because the amount at issue exceeds the jurisdictional minimum of this court.

1           7.       Plaintiff was at all times an employee covered by the Labor Code and Government  
2 Code §12940 prohibiting discrimination in employment on the basis of disability and was therefore  
3 a member of the group sought to be protected by this statute.

4           8.       As an employee of Defendant, Employer, Plaintiff was entitled to all of the benefits  
5 provided by Employer's personnel policies, procedures and practices, and, as well, those confirmed  
6 in the by-laws governing said organization.

7           9.       At all times herein, Plaintiff was duly qualified and performed his employment duties  
8 in a satisfactory manner. Plaintiff performed and was willing to continue to perform all duties and  
9 responsibilities on his part to be performed, which duties and responsibilities were part of the  
10 employment relationship between Defendant, Employer, and Plaintiff.

11          10.      Prior to his employment with Defendant, Employer, Plaintiff had engaged in political  
12 activities with the Democratic party. In or about 2020 and again in 2022, Plaintiff ran for political  
13 office as a Democrat. Both election bids were unsuccessful. In late 2023, Plaintiff made the decision  
14 to return to work as a financial advisor, which he had been engaged in prior to the four years he spent  
15 running for political office.

16          11.      Between approximately July 2024 and August 2024, Plaintiff went through an  
17 extensive hiring process with Defendant, Employer, including multiple interviews and a background  
18 check. Plaintiff complied with all rules and regulations regarding mandatory disclosures for financial  
19 advisors. At the time of his application with Defendant, Employer, Plaintiff had no conflicts that  
20 would prevent him from working as a financial advisor.

21          12.      Plaintiff began working for Defendant, Employer, on or about September 30, 2024 as  
22 an Investment Consultant. Plaintiff relocated from Fresno County, California to Santa Clara County,  
23 California as a direct result of this job offer based on Defendant, Employer's representation that  
24 Plaintiff would be permitted to continue working in Santa Clara County for the foreseeable future.

25          13.      In or about November 2024, Plaintiff disclosed to Defendant Boyd that he suffered  
26 from a disability, anxiety, and that he would often fidget or pick at his nails due to this disability.  
27 Defendant Boyd appeared to be annoyed by Plaintiff's disclosure and the habits associated with his  
28 anxiety.

1           14.     During the time Plaintiff worked with Defendant Boyd, it was apparent that Defendant  
2 Boyd was opposed to the ideologies of the Democrat party. Defendant Boyd would frequently speak  
3 about conspiracy theories and anti-vaccination stances that were consistent with political candidates  
4 in opposition to the Democrat party of which Plaintiff associated.

5           15.     Shortly after Plaintiff was hired, his supervisor, the branch manager, Defendant, Boyd,  
6 asked Plaintiff about “Arballo Consulting Services”, a business listed on Plaintiff’s resume as well  
7 as his role on the Central California Hispanic Chamber of Commerce. Plaintiff informed Defendant  
8 Boyd that, while he had previously been involved with the consulting business, it was now used solely  
9 for his wife’s business which offered Spanish translation and interpretation services, and had never  
10 been used for anything associated with wealth management or investment services. Plaintiff further  
11 informed Defendant Boyd that his term with the Chamber would end with the calendar year.

12           16.     In or about November 2024, Defendant, Employer instructed Plaintiff that he needed  
13 to add Arballo Consulting Services to the past employment section of his U-4 - a form required by the  
14 Financial Industry Regulatory Authority (FINRA) - because it was already included (and approved)  
15 as an outside business activity on the form. While Plaintiff did not think it needed to be included as  
16 he was no longer involved in the business and it was unrelated to finance, Defendant Boyd insisted  
17 and so Plaintiff complied.

18           17.     Approximately one week later, Defendant Boyd asked to meet with Plaintiff along with  
19 another employee of Defendant Employer. They questioned Defendant Boyd asked Plaintiff why he  
20 hadn’t disclosed that Plaintiff ran for political offices, and specifically about news articles covering  
21 Plaintiff’s run for Congress as a Democrat challenging well-known Republican, Devin Nunes. Plaintiff  
22 told them that he did not think it was necessary to include political campaigns as they were not  
23 relevant to his career in finance. Defendant Boyd excused Plaintiff back to work.

24           18.     Two days later, Defendant, Employer terminated Plaintiff’s employment. Defendant  
25 Boyd communicated to FINRA that Plaintiff was discharged for “personal conduct”. Potential  
26 employers have and will view Plaintiff’s U-5, and consider it in hiring decisions, which now includes  
27 this false information. Plaintiff did not engage in any ‘personal conduct’ that caused his termination  
28 other than his past political activities and disclosing his disability.

1           19. Plaintiff is informed and believes that the true reason for his termination is because of  
2 his disability or perceived disability, and because of his prior participation in politics, including being  
3 a candidate for public office. This conduct by Defendants violated the Fair Employment and Housing  
4 Act and Labor Code.

5           20. Plaintiff filed a charge of discrimination with the California Civil Rights Division  
6 (“CRD”) against Defendant, Employer, complaining of the acts of harassment as alleged therein.  
7 Plaintiff received a “Right to Sue Letter” from the CRD dated February 24, 2025, a true and correct  
8 copy of which is attached hereto as **Exhibit “A”** and incorporated by reference. Plaintiff has complied  
9 with all prerequisites to jurisdiction of this Court under California Government Code §§12900, et seq.  
10 On or about February 25, 2025, Plaintiff notified the California Labor and Workforce Development  
11 Agency (“LWDA”) regarding Defendant, Employer’s violation of the Labor Code. As of the date of  
12 filing this complaint, LWDA had not responded. Therefore, Plaintiff has exhausted his administrative  
13 remedies.

14           21. As a proximate result of the Defendants’ acts of retaliation, discrimination and  
15 harassment, Plaintiff has suffered and continues to suffer substantial economic losses and interest  
16 thereon, incurred in seeking and performing substitute employment and earnings, bonuses, deferred  
17 compensation and other employment benefits which Plaintiff would have received. He has suffered  
18 and continues to suffer both physical and non-physical injuries, including severe emotional distress,  
19 humiliation, embarrassment and mental anguish all to his damage in an amount to be proven at trial.

20           22. In doing the acts and/or failing to do the acts alleged herein above, Defendants engaged  
21 in discriminatory and retaliatory acts and conduct with malice towards Plaintiff and/or a reckless  
22 indifference to his statutorily protected rights and in conscious disregard of the rights, both statutory  
23 and common law guaranteed Plaintiff by the State of California. As such, Defendants are guilty of  
24 oppression and malice for which Plaintiff is entitled to punitive damages, in an amount to be proven  
25 at trial.

26           23. Code of Civil Procedure §1021 provides that attorneys’ fees are recoverable in an  
27 action for which they are specifically provided by statute. Government Code §12965(b) provides that  
28 reasonable attorney’s fees and costs are recoverable herein by the prevailing party, within the

1 discretion of the court. Plaintiff has retained attorneys for the prosecution of this action. As a result,  
2 Plaintiff is entitled to his reasonable attorneys' fees and costs herein incurred.

3 **FIRST CAUSE OF ACTION**  
4 **Discrimination and Harassment Based on Medical Condition, Disability**  
5 **and/or Perceived Disability in Violation of Government Code §12940**  
6 **(Against Defendant, Employer Only)**

7 24. The allegations of paragraphs 1 through 23 are re-alleged and incorporated herein by  
8 reference.

9 25. The California Government Code provides at Section 12940, in pertinent part:

10 "It shall be an unlawful employment practice . . . (a) For an employer, because of the...  
11 physical disability... [or] medical condition of any person . . . to refuse to hire... or  
12 discharge the person from employment... or to discriminate against the person in  
13 compensation or in terms, conditions or privileges or employment. . . .

14 In addition, Government Code §12926 (o) states, in part:

15 "[P]hysical disability [and] medical condition' . . . includes a perception that the  
16 person has any those characteristics . . . ."

17 26. Defendant, Employer, terminated Plaintiff because it perceived him as disabled and  
18 unable to perform any job duties, because it did not want to accommodate his medical condition and  
19 because he requested accommodation.

20 27. As a direct and proximate result of Defendant's acts of discrimination and retaliation,  
21 Plaintiff has suffered and continues to suffer substantial economic losses and interest thereon, in  
22 earnings and other employment benefits which Plaintiff would have received. He has suffered and  
23 continues to suffer both physical and non-physical injuries, including emotional distress, humiliation,  
24 embarrassment and mental anguish all to his damage in an amount according to proof.

25 28. In doing the acts and/or failing to do the acts alleged herein above, Defendants engaged  
26 in discriminatory and retaliatory acts and conduct with malice towards Plaintiff and/or a reckless  
27 indifference to his statutorily protected rights and in conscious disregard of the rights, both statutory  
28 and common law guaranteed Plaintiff by the State of California. As such, Defendants are guilty of  
oppression and malice for which Plaintiff is entitled to punitive damages, in an amount to be proven  
at trial.

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1           29.     California Code of Civil Procedure §1021 provides that attorneys' fees are recoverable  
2 in an action for which they are specifically provided by statute. California Government Code §12965  
3 provides that reasonable attorneys' fees and costs are recoverable herein by the prevailing party, within  
4 the discretion of the court. Plaintiff has retained an attorney for the prosecution of this action. As a  
5 result, Plaintiff is entitled to his reasonable attorneys' fees and costs herein incurred.

6                                   **SECOND CAUSE OF ACTION**  
7                                   **Failure to Prevent Discrimination, Harassment and Retaliation**  
8                                   **in Violation of Government Code §12940(k)**  
9                                   **(Against Defendant, Employer Only)**

10           30.     The allegations of paragraphs 1 through 29 are re-alleged and incorporated herein by  
11 reference.

12           31.     California Government Code §12940 requires employers to take all reasonable steps  
13 to prevent harassment, discrimination, and retaliation on the basis of disability or perceived disability  
14 from occurring in the work place and, if it does occur, to take immediate and appropriate corrective  
15 action.

16           32.     Plaintiff, as set forth above, disclosed his disability to his employer. Defendant,  
17 Employer, discriminated against Plaintiff instead by terminating him.

18           33.     Defendants violated Plaintiff's rights in that it, amongst other acts and/or omissions  
19 to act:

20                   (a)     Discriminated against Plaintiff because of his disability or perceived disability;

21                   (b)     Failed to take appropriate action when they knew or should have known of the  
22 discrimination and retaliation of Plaintiff and others;

23                   (c)     Failed to take appropriate and/or effective remedial action against those who  
24 perpetrated, acquiesced in, ratified or ignored the discrimination or retaliation of Plaintiff and others;  
25 and

26                   (d)     Failed to adopt and/or disseminate, adhere to, or enforce its anti-harassment  
27 policy in an effective manner with respect to management, supervisors, staff and employees.

28           34.     As a proximate result of the Defendants' acts of retaliation and harassment, Plaintiff  
has suffered and continues to suffer substantial economic losses and interest thereon, incurred in

1 seeking and performing substitute employment and earnings, bonuses, deferred compensation and  
2 other employment benefits which Plaintiff would have received. He has suffered and continues to  
3 suffer both physical and non-physical injuries, including severe emotional distress, humiliation,  
4 embarrassment and mental anguish all to his damage in an amount to be proven at trial.

5 35. In doing the acts and/or failing to do the acts alleged herein above, Defendants engaged  
6 in discriminatory and retaliatory acts and conduct with malice towards Plaintiff and/or a reckless  
7 indifference to his statutorily protected rights and in conscious disregard of the rights, both statutory  
8 and common law guaranteed Plaintiff by the State of California. As such, Defendants are guilty of  
9 oppression and malice for which Plaintiff is entitled to punitive damages, in an amount to be proven  
10 at trial.

11 36. Code of Civil Procedure §1021 provides that attorneys' fees are recoverable in an  
12 action for which they are specifically provided by statute. Government Code §12965(b) provides that  
13 reasonable attorney's fees and costs are recoverable herein by the prevailing party, within the  
14 discretion of the court. Plaintiff has retained attorneys for the prosecution of this action. As a result,  
15 Plaintiff is entitled to his reasonable attorneys' fees and costs herein incurred.

16 **THIRD CAUSE OF ACTION**  
17 **Retaliation for Political Engagement**  
18 **in Violation of Labor Code § §1101 and 1102**  
**(Against Defendant, Employer Only)**

19 37. The allegations of paragraphs 1 through 36 are re-alleged and incorporated herein by  
20 reference.

21 38. Labor Code §1101 provides that:

22 "No employee shall make, adopt, or enforce any rule, regulation, or policy:

23 (a) Forbidding or preventing employees from engaging or participating in politics or  
24 from becoming candidates for public office.

25 (b) Controlling or directing, or tending to control or direct the political activities or  
26 affiliations of employees."

26 39. Labor Code §1102 provides that:

27 "No employer shall coerce or influence or attempt to coerce or influence his employees  
28 through or by means of threat of discharge or loss of employment to adopt or follow  
or refrain from adopting or following any particular course or line of political action  
or political activity."



1           40. Prior to Plaintiff's employment with Defendant, Employer, Plaintiff engaged in and  
2 participated in politics, including being a candidate for public office on multiple occasions. While  
3 working for Defendant, Employer, Plaintiff's supervisor questioned Plaintiff about this prior political  
4 activity. Shortly thereafter, Defendant terminated Plaintiff. Plaintiff is informed and believes that  
5 Defendant Employer terminated him in retaliation for his political engagement and participation,  
6 including being a candidate for public office.

7           41. Plaintiff has suffered and continue to suffer substantial economic losses and interest  
8 thereon, including, seeking and performing substitute employment and earnings, bonuses, deferred  
9 compensation and other employment benefits which Plaintiff would have received.

10           42. In doing the acts and/or failing to do the acts alleged herein above Defendant engaged  
11 in unlawful acts and conduct with malice towards Plaintiff and/or a reckless indifference to their  
12 statutorily protected rights and in conscious disregard of the rights, both statutory and common law,  
13 guaranteed Plaintiff by the State of California. As such, Defendant is guilty of oppression and malice  
14 for which Plaintiffs are entitled to punitive damages, in an amount to be proven at trial.

15           43. California Code of Civil Procedure §1021 provides that attorneys' fees are recoverable  
16 in an action for which they are specifically provided by statute. California Labor Code §2699 provides  
17 that, in addition to penalties, reasonable attorneys' fees and costs are recoverable herein by the  
18 prevailing party, within the discretion of the Court. Plaintiff has retained an attorney for the  
19 prosecution of this action. As a result, Plaintiff is entitled to his reasonable attorneys' fees and costs  
20 herein incurred.

21                                   **FOURTH CAUSE OF ACTION**  
22                                   **False Inducement to Relocate**  
23                                   **in Violation of Labor Code §970**  
                                  **(Against Defendant, Employer Only)**

24           44. The allegations of paragraphs 1 through 43 are re-alleged and incorporated herein by  
25 reference.

26           45. Labor Code §970 provides that:

27           “No person, or agent or officer thereof, directly or indirectly, shall influence, persuade,  
28 or engage any person to change from one place to another in this State... for the  
purpose of working in any branch of labor, through or by means of knowingly false  
representations, whether spoken, written, or advertised in printed form, concerning

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1           51.     At all times mentioned in this Complaint, the California Fair Employment and Housing  
2 Act was in full force and effect and was binding on Defendant, Employer. This Act required  
3 Defendant, Employer, to refrain from discriminating against an employee or discharging an employee  
4 on the basis of their disability, for requesting accommodation, or for opposing and reporting  
5 discrimination or retaliation in the work place.

6           52.     Plaintiff is informed and believes that Defendants, Employer, discharged him because  
7 he was disabled and requested accommodation/medical leave, or because he opposed and complained  
8 about discrimination and retaliation.

9           53.     As a direct and proximate result of Defendants, Employers' wrongful termination of  
10 Plaintiff's employment, he has sustained, and continues to sustain, substantial losses of earnings, and  
11 other employment benefits.

12           54.     As a direct and proximate result of Defendants' wilful, knowing, and intentional  
13 discrimination against Plaintiff, he has suffered, and continues to suffer, humiliation, emotional  
14 distress, mental and physical pain and anguish, and the manifestations thereof, all to his damage in an  
15 amount to be proven at trial.

16           55.     In doing the acts and/or failing to do the acts alleged herein above, Defendants engaged  
17 in discriminatory and retaliatory acts and conduct with malice towards Plaintiff and/or a reckless  
18 indifference to his statutorily protected rights and in conscious disregard of the rights, both statutory  
19 and common law guaranteed Plaintiff by the State of California. As such, Defendants are guilty of  
20 oppression and malice for which Plaintiff is entitled to punitive damages, in an amount to be proven  
21 at trial.

22           56.     Plaintiff has incurred, and continues to incur, legal expenses and attorneys' fees.  
23 Plaintiff is presently unaware of the precise amount of these expenses and fees, and prays leave of  
24 Court to amend this Complaint when the amounts are more fully known.

25                                   **SIXTH CAUSE OF ACTION**  
26                                   **Defamation**  
                                     **(Against ALL Defendants)**

27           57.     The allegations of paragraphs 1 through 56 are re-alleged and incorporated herein by  
28 reference.

1           58.     Within the year last past, without excuse, justification or privilege, Defendant, Boyd,  
2 published false and defamatory statements orally and in writing to third persons, including agents of  
3 Defendant, Employer, FINRA, and other persons who are not parties to this action, about Plaintiff,  
4 stating as matters of fact that, among other things: Plaintiff violated company policy and/or FINRA  
5 regulations, engaged in personal conduct which disqualified him from working as a financial advisor,  
6 and deserved to be terminated. Defendants' statements to FINRA were voluntary (not mandatory) and  
7 did not address any issues within FINRA's purview or issues that would form the basis for an  
8 investigation.

9           59.     Within the year last past, without excuse, justification or privilege, agents of Defendant,  
10 Employer, including but not limited to Defendant Boyd published and republished, orally and in  
11 writing to third persons, including prospective employers of Plaintiff and other persons who are not  
12 parties to this action, the false and defamatory statements about Plaintiff, stating as matters of fact that,  
13 among other things: Plaintiff violated company policy and/or FINRA regulations, engaged in personal  
14 conduct which disqualified him from working as a financial advisor, and deserved to be terminated.

15           60.     The statements made by Defendants and their agents were and are false and constitute  
16 defamation on their face in that they communicate to third persons as matters of fact that Plaintiff was  
17 a problematic, incompetent and dishonest employee who violated company policy and/or FINRA  
18 regulations, deserved to be terminated from their job, and should not work as a financial advisor. This  
19 constitutes defamation per se as false statements tending to injure Plaintiff in his profession.

20           61.     As a result of Defendants' defamatory statements, Plaintiff was terminated from his  
21 job with Employer.

22           62.     Defendants' defamatory statements have been, and continue to be, foreseeably  
23 republished by and to Defendants and to third persons who are not parties to this action, including but  
24 not limited to employees of Employer and prospective employers of Plaintiff and, therefore, all such  
25 re-publications are chargeable to Defendants and Defendants are liable for those foreseeable  
26 re-publications.

27           63.     Plaintiff was forced to re-publish the false statements Defendants made about him  
28 when he applied for jobs after he was terminated. Plaintiff was forced to refer prospective employers

1 to his U-5 form with FINRA, which includes Defendant Employer and Defendant Boyd's false  
2 statements, or tell prospective employers that he had been terminated by Defendant Employer which  
3 implies that Plaintiff was an incompetent and poorly performing employee who violated company  
4 policy, deserved to be fired and should not work as a financial advisor. Defendants, Employers and  
5 Defendant Boyd, knew, or should have known, that Plaintiff would have to repeat the false statements  
6 that they made about him when he applied for work with subsequent potential employers as use of  
7 FINRA's U-5 form is standard in the industry. Though Plaintiff has sought new employment, no one  
8 has hired him.

9         64. As a result of Defendants' defamatory statements and the foreseeable re-publications  
10 of those defamatory statements, Plaintiff has suffered, and continues to suffer special and general  
11 damages in an amount according to proof, but in excess of the minimum jurisdictional limits of this  
12 Court, for, among other things, the loss of his employment and the income and benefits derived  
13 therefrom, the damage to him theretofore good reputation as a competent, knowledgeable employee  
14 and for the embarrassment, annoyance and worry caused to him by the defamation.

15         65. Defendants published and republished the defamatory statements knowing the  
16 statements to be false, defamatory and untrue and made the defamatory statements with animus,  
17 hatred, ill will and an intent to vex, harass annoy and injure Plaintiff and with the fraudulent and  
18 malicious purpose and design of injuring the reputation and the professional and economic interests  
19 of Plaintiff, thereby warranting the imposition of punitive damages against Defendants, and each of  
20 them, in an amount sufficient to punish this conduct and to deter the occurrence of similar conduct  
21 in the future.

22         66. Alternatively, Defendants published the defamatory statements without regard for their  
23 truth or falsity and without any reasonable investigation into their truth or falsity, and with a conscious  
24 and deliberate disregard for the rights of Plaintiff, thereby warranting the imposition of punitive  
25 damages against Defendants, and each of them, in an amount sufficient to punish this conduct and to  
26 deter the occurrence of similar conduct in the future.

27         67. In doing the acts and/or failing to do the acts alleged herein above, Defendants engaged  
28 in discriminatory and retaliatory acts and conduct with malice towards Plaintiff and/or a reckless

1 indifference to his statutorily protected rights and in conscious disregard of the rights, both statutory  
2 and common law guaranteed Plaintiff by the State of California. As such, Defendants are guilty of  
3 oppression and malice for which Plaintiff is entitled to punitive damages, in an amount to be proven  
4 at trial.

5 68. Plaintiff has incurred, and continues to incur, legal expenses and attorneys' fees.  
6 Plaintiff is presently unaware of the precise amount of these expenses and fees, and prays leave of  
7 Court to amend this Complaint when the amounts are more fully known.

8 **REQUEST FOR JURY TRIAL**

9 Plaintiff, Felipe Arballo, hereby requests a trial by jury.

10 **WHEREFORE**, the Plaintiff prays as follows:

- 11 1. For general damages in excess of the jurisdictional minimum of this Court, according  
12 to proof;
- 13 2. For interest on the amount of losses incurred in earnings, deferred compensation and  
14 other employee benefits at the prevailing rate;
- 15 3.. For special damages according to proof;
- 16 4. For punitive damages according to proof;
- 17 5. For reinstatement to his job with Defendants;
- 18 6. For amendment to his U-5 form removing any statements related to Plaintiff's  
19 employment and/or termination;
- 20 7. For cost of suit, including reasonable attorneys' fees; and
- 21 8. For such other and further relief as the Court may deem just and proper.

22 Dated: March 17, 2025

BRYANT WHITTEN, LLP

23 

24 AMANDA B. WHITTEN, Attorneys for Plaintiff,  
25 FELIPE ARBALLO

# EXHIBIT “A”



## Civil Rights Department

651 Bannan Street, Suite 200 | Sacramento | CA | 95811  
1-800-884-1684 (voice) | 1-800-700-2320 (TTY) | California's Relay Service at 711  
calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

February 24, 2025

Felipe Arballo

,

RE: **Notice of Case Closure and Right to Sue**  
CRD Matter Number: 202502-28261124  
Right to Sue: Arballo / Charles Schwab & Co., Inc.

Dear Felipe Arballo:

This letter informs you that the above-referenced complaint filed with the Civil Rights Department (CRD) has been closed effective February 24, 2025 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.

After receiving a Right-to-Sue notice from CRD, you may have the right to file your complaint with a local government agency that enforces employment anti-discrimination laws if one exists in your area that is authorized to accept your complaint. If you decide to file with a local agency, you must file before the deadline for filing a lawsuit that is on your Right-to-Sue notice. Filing your complaint with a local agency does not prevent you from also filing a lawsuit in court.

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