

IN THE

**SUPREME COURT OF THE  
UNITED STATES**

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**PALANI KARUPAIYAN et al**

**---Petitioners**

**V.**

**TATA CONSULTANCY SERVICES et al**

**---- Respondents**

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**On Petition for a Writ of Certiorari  
to the United States Court of  
Appeals for the Third Circuit**

**Docket-23-1303**

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**Appendix for PETITION FOR A  
WRIT OF CERTIORARI**

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**I. APPENDIX-A : UNITED STATES COURT OF  
APPEALS -3<sup>RD</sup> CIR'S OPINION (PER CURIAM)  
DATED APR 07, 2023**

ALD-103 NOT PRECEDENTIAL  
UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

**IN RE: PALANI KARUPAIYAN; R.P.; P.P.**

### Petitioners

On a Petition for Writ of Mandamus from the  
United States District Court for the District of New  
Jersey  
(Related to Civ. No. 2-22-cv-01349)

Submitted Pursuant to Rule 21, Fed. R. App. P.  
March 9, 2023  
Before: HARDIMAN, RESTREPO, and BIBAS,  
Circuit Judges  
(Opinion filed April 7, 2023)

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## OPINION<sup>1\*</sup>

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\* This disposition is not an opinion of the full Court and pursuant to I.O.P. 5.7 does not constitute binding precedent.

## PER CURIAM

Palani Karupaiyan petitions this Court for a writ of mandamus pursuant to 28 U.S.C. § 1651. For the reasons that follow, we will deny in part and dismiss in part the petition.

In 2022, Karupaiyan filed a complaint in the District Court for the District of New Jersey against Tata Consultancy Services (TCS), TCS's CEO Rajesh Gopinathan, Tata Group of Companies, and "John does ex CEOs of TCS." In an order entered January 27, 2023, the District Court sua sponte dismissed the complaint without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B), for failure to state a claim for relief. The District Court noted that Karupaiyan had filed "numerous, substantially similar complaints" against various defendants which were also dismissed on the same basis and admonished him that "any future abuse of legal process might trigger sanctions." ECF No. 5 at 5-6. Karupaiyan filed a notice of appeal. See C.A. No. 23-1255.

He subsequently filed this mandamus petition "from the order" dismissing his complaint<sup>2</sup>.

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<sup>2</sup> Karupaiyan also seeks mandamus relief on behalf of his two minor children, R.P. and P.P., who are both listed as petitioners. After the Clerk notified him that, as a non-attorney, he cannot represent the interests of his minor children, see *Osei-Afriyie by Osei-Afriyie v. Med. Coll. of Pa.*, 937 F.2d 876, 883 (3d Cir. 1991), Karupaiyan filed a motion for appointment of counsel or, in the alternative, to appoint him as next friend or guardian ad litem for his minor children. We have repeatedly denied Karupaiyan's motions for such relief in other matters, see C.A. Nos. 21-2560 & 21-3339, and we deny this motion, too, because he has not provided any basis for granting such relief. Accordingly, we will dismiss the request for mandamus relief on R.P. and P.P.'s behalf.

Karupaiyan appears to seek the same relief sought against the defendants in his complaint.

Mandamus provides a “drastic remedy that a court should grant only in extraordinary circumstances in response to an act amounting to a judicial usurpation of power.” Hahnemann Univ. Hosp. v. Edgar, 74 F.3d 456, 461 (3d Cir. 1996) (citations and internal quotation marks omitted). To justify the Court’s use of this extraordinary remedy, Karupaiyan must show a clear and indisputable right to the writ and that he has no other adequate means to obtain the relief desired. Haines v. Liggett Grp. Inc., 975 F.2d 81, 89 (3d Cir. 1992). He has failed to make this requisite showing. To the extent that Karupaiyan seeks an order granting the relief sought in his complaint, he is essentially trying to circumvent the District Court’s dismissal of his complaint. Mandamus relief is unavailable because he may challenge the District Court’s dismissal order through the normal appeal process. See *In re Nwanze*, 242 F.3d 521, 524 (3d Cir. 2001) (noting that, “[g]iven its drastic nature, a writ of mandamus should not be issued where relief may be obtained through an ordinary appeal”) (citation omitted).

For the foregoing reasons, we will deny in part and dismiss in part the petition for a writ of mandamus.

II. APPENDIX-B : UNITED STATES COURT OF  
APPEALS 3<sup>RD</sup> CIR'S ORDER THAT THE PETITION  
FOR WRIT OF MANDAMUS BE, AND THE SAME IS,  
DENIED IN PART AND DISMISSED IN PART.

ALD-103

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

No. 23-1303

IN RE: PALANI KARUPAIYAN; R.P.; P.P.

Petitioners

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On a Petition for Writ of Mandamus from the  
United States District Court for the District of New  
Jersey

(Related to Civ. No. 2-22-cv-01349)

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Submitted Pursuant to Rule 21, FRAP Mar 9, 2023  
Before: HARDIMAN, RESTREPO, and BIBAS,  
Circuit Judges

ORDER

PER CURIAM:

This cause came to be considered on a petition  
for writ of mandamus submitted on March 9, 2023.  
On consideration whereof, it is now hereby

ORDERED by this Court that the petition for  
writ of mandamus be, and the same is, denied in part  
and dismissed in part. All of the above in accordance  
with the opinion of the Court.

DATED: April 7, 2023

**III. APPENDIX-C : ORDER (SUA SPONTE) DISMISSAL  
OF COMPLAINT -JAN 27 2023**

**Not for Publication**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

Palani Karupaiyan, et al., Plaintiff v. Tata Consultancy Services (TCS), et al.,	Civil No. 22-01349 (ES)(JRA) Order
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**ORDER**

**Dated: 01/27/23**

**SALAS, DISTRICT JUDGE**

It appearing that:

1. Before the Court is the application to proceed *in forma pauperis* ("IFP") of *pro se* Plaintiff Palani Karupaiyan ("Plaintiff"). (D.E. No. 1-2). Plaintiff and his minor children<sup>3</sup> bring this action against Defendants Tata Consultancy Services ("TCS"), TCS's CEO Rajesh Gopinathan, TCS's parent company Tata Group of Companies, and "John does ex-CEOs of TCS." (D.E. No. 1 ("Complaint" or "Compl.") at 1). 2. 28 U.S.C. § 1915 ensures that "no citizen shall be denied an opportunity to commence, prosecute, or defend an action, civil or criminal, 'in any court of the

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<sup>3</sup> Although the Complaint lists P.P. and R.P. as two additional plaintiffs, the Court notes that a parent cannot represent the interests of his or her minor children *pro se*. See *Jackson v. Bolandi*, No. 18-17484, 2020 WL 255974, at \*4 (D.N.J. Jan. 17, 2020) (noting that "a non-attorney parent may not represent his or her child *pro se* in federal court") (citing *Osei-Afriyie v. Med. Coll. of Pa.*, 937 F.2d 876, 882–83 (3d Cir. 1991)). Accordingly, the Court construes the allegations in the Complaint as made on behalf of Plaintiff Palani Karupaiyan only.

United States' solely because his poverty makes it impossible for him to pay or secure the costs." *Adkins v. DuPont de Nemours & Co.*, 335 U.S. 331, 342 (1948). To proceed IFP, a litigant must show that he "cannot because of his poverty 'pay or give security for the costs . . . and still be able to provide' himself and dependents 'with the necessities of life.'" *Id.* at 339.

3. Based on Plaintiff's IFP application, made under penalty of perjury, the Court finds that he cannot both pay the filing fee and still be able to provide himself with the necessities of life. Accordingly, the Court **GRANTS** his application.

4. Having granted Plaintiff's IFP application, the Court will screen the Complaint under § 1915(e)(2)(B) before permitting service of process. *See Burrell v. Loungo*, 750 F. App'x 149, 154 (3d Cir. 2018). The Court will be forgiving of complaints filed *pro se* and construe their allegations liberally. *See Haines v. Kerner*, 404 U.S. 519, 596 (1972). Nonetheless, the Court must *sua sponte* dismiss any claim that (i) fails to state a claim upon which relief may be granted, (ii) is frivolous or malicious, or (iii) seeks monetary relief from a defendant who is immune from such relief. *See* § 1915(e)(2)(B)(i)–(iii). "When considering whether to dismiss a complaint for failure to state a claim pursuant [to] § 1915(e)(2)(B)(ii), the District Court uses the same standard it employs under Fed. R. Civ. P. 12(b)(6)." *Vaughn v. Markey*, 813 F. App'x 832, 833 (3d Cir. 2020). To survive dismissal under Rule 12(b)(6), the complaint must "contain sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face," and a claim is facially plausible when the plaintiff "pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." *Zuber v. Boscov's*, 871 F.3d 255, 258 (3d Cir. 2017) (first

quoting *Santiago v. Warminster Twp.*, 629 F.3d 121, 128 (3d Cir. 2010); and then quoting *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)). “[T]hreadbare recitals of the elements of a cause of action, legal conclusions, and conclusory statements” are all disregarded. *City of Cambridge Ret. Sys. v. Altisource Asset Mgmt. Corp.*, 908 F.3d 872, 878–79 (3d Cir. 2018) (quoting *James v. City of Wilkes-Barre*, 700 F.3d 675, 681 (3d Cir. 2012)). Further, a complaint may be considered frivolous where it relies on “‘indisputably meritless legal theory’ or a ‘clearly baseless’ or ‘fantastic or delusional’ factual scenario.” *Mitchell v. Horn*, 318 F.3d 523, 530 (3d Cir. 2003) (quoting *Neitzke v. Williams*, 490 U.S. 319, 327–28 (1989)).

5. A complaint must also comply with Federal Rule of Civil Procedure 8. Rule 8(a)(2) requires that a complaint set forth “a short and plain statement of the claim[s] showing that the [plaintiff] is entitled to relief.” Fed. R. Civ. P. 8(a)(2). Each allegation in the complaint “must be simple, concise, and direct.” *Id.* 8(d)(1). Rule 8 further requires that the complaint set forth the plaintiff’s claims with enough specificity to “give the defendant fair notice of what the claim is and the grounds upon which it rests.” *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (internal quotation marks and citations omitted). The complaint must contain “sufficient facts to put the proper defendants on notice so they can frame an answer” to the plaintiff’s allegations. *See Dist. Council 47 v. Bradley et.al.*, 795 F.2d 310, 315 (3d Cir. 1986). Importantly, vague group pleadings “undermine[ ] the notice pleading regime of Rule 8.” *Japhet v. Francis E. Parker Mem’l Home, Inc.*, No. 14-1206, 2014 WL 3809173, at \*2 (D.N.J. July 31, 2014). Moreover, “shotgun pleadings” have been regularly criticized by the Third Circuit and fail to meet the pleading requirements of Rule 8. *See, e.g.*, *Hynson v.*

*City of Chester Legal Dep't*, 864 F.2d 1026, 1031 n.13 (3d Cir. 1988). A shotgun pleading can arise in any of the following circumstances: (i) “a complaint containing multiple counts where each count adopts the allegations of all preceding counts,” (ii) a complaint that is “replete with conclusory, vague, and immaterial facts not obviously connected to any particular cause of action,” (iii) a complaint that does not separate “into a different count each cause of action or claim for relief,” or (iv) a complaint that “assert[s] multiple claims against multiple defendants without specifying which of the defendants are responsible for which acts or omissions, or which of the defendants the claim is brought against.” *Weiland v. Palm Beach Cty. Sheriff's Off.*, 792 F.3d 1313, 1321–23 (11th Cir. 2015); *see also Nash v. New Jersey*, No. 22-1804, 2022 WL 4111169, at \*2 (D.N.J. Sept. 8, 2022) (citing the factors in *Weiland*,

792 F.2d at 1321–23). “Such pleadings impose on courts and defendants the onerous task of sifting out irrelevancies” to determine which facts relate to which causes of action. *Nash*, 2022 WL 4111169, at \*2 (citing *Weiland*, 792 F.3d at 1323).

6. Here, Plaintiff uses the Complaint to air numerous grievances against a prospective employer in the business of IT outsourcing, namely, TCS, in addition to its CEO, Rajesh Gopinathan, and its parent company, Tata Group of Companies. Plaintiff asserts 26 causes of action sounding in both federal and state law. (Compl. ¶¶ 200–87). He seeks relief in various forms, including declaratory relief, various permanent injunctions, “back pay and front pay,” “[c]ompensatory and punitive damages,” “15 million dollars [in] [r]easonable fees for time and effort of the [P]laintiff, pain and suffering and all expenses and costs of this action.” (*Id.* at 37–41). Along with his

Complaint, Plaintiff submits a right to sue letter from the Equal Employment Opportunity Commission, which specifies four causes of action for alleged violations of: (i) Title VII of the Civil Rights Act of 1964; (ii) the Americans with Disabilities Act; (iii) the Genetic Information Nondiscrimination Act; and (iv) the Age Discrimination in Employment Act. (D.E. No. 1-4). For the following reasons, Plaintiff's Complaint does not present sufficient allegations to support these causes of action.

7. *First*, Plaintiff "reallege[s] and incorporate[s] by reference paragraphs 1 to 200" of his complaint for all twenty-six counts he asserts<sup>4</sup>. (*See, e.g.*, *id.* ¶¶ 203, 206, 209, 212). *Second*, Plaintiff's forty-two-page complaint is "replete" with conclusory allegations in lieu of supporting facts. *See Weiland*, 792 F.3d at 1321–23. Plaintiff primarily alleges that Defendants failed to hire him because of his race, color, national origin, genetics, U.S. Citizenship, disability status, and religion (*id.* ¶¶ 200–20), and that Defendants admitted to their discriminatory hiring practices (*see e.g.*, *id.* ¶ 49). However, he does not outline what happened, when it happened, or who did or said what. For example, Plaintiff alleges that two weeks after a scheduled interview, "TCS told me that Im sick old black Indian and go back to India to work in the offshore development, otherwise he should kill me." (*Id.* ¶¶ 50–53). But Plaintiff does not identify any circumstances surrounding this statement. *Third*, Plaintiff's Complaint fails to specify which counts are brought against which Defendants in a manner that would allow them to understand the basis for Plaintiff's lawsuit and the nature of the

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<sup>4</sup> The Complaint only contains numbered paragraphs up to ¶ 67, and then starting again at ¶ 200. Thus, the Complaint does not contain paragraphs ¶¶ 68–199.

claims brought against each of them. For example, Plaintiff describes alleged conduct by “TCS and CEOs” in some causes of action, but charges “Ex-CEO’s” in these same counts. (*Id.* ¶¶ 273–278). And Plaintiff identifies only “TCS” or a “TCS employee” broadly as the individual who allegedly made discriminatory statements toward him. (*See, e.g., id.* ¶¶ 54, 55, 58). Such ambiguity leaves the Court and Defendants at a loss as to who allegedly did what and when, in order to appropriately evaluate the causes of action alleged.

8. In sum, the instant Complaint is “anything but ‘simple, concise, and direct.’” *See Binsack v. Lackawanna Cnty Prison*, 438 F. App’x 158, 160 (quoting Fed. R. Civ. P. 8(d)(1)). Plaintiff’s claims are conclusory and vague, and therefore fail to put each of the Defendants on adequate notice of the causes of action against them. It is not the Court’s nor the Defendants’ burden to sift through the disjointed narrative thus presented and determine which causes of action are alleged on what facts and against whom. *See Weiland*, 792 F.3d at 1321–23. Accordingly, Plaintiff’s Complaint is dismissed for failure to state a claim as an impermissible shotgun pleading.

9. Additionally, the Court notes that Plaintiff has already been notified of the pleading standards required to state a claim in federal court, as he has filed numerous, substantially similar complaints against multiple defendants in this district and others that were dismissed for failure to state a claim. *See, e.g., Karupaiyan v. Atl. Realty Dev. Corp.*, 827 F. App’x 165, 167 (3d Cir. 2020) (“We agree with the District Court that Karupaiyan’s difficult-to-follow complaint fails to suggest the existence of any plausible claim.”); *Karupaiyan v. Naganda*, No. 20-12356, 2021 WL 3616724, at \*2 (D.N.J. Aug. 12, 2021), *aff’d*, No. 21-2560, 2022 WL 327724 (3d Cir.

Feb. 3, 2022)(“Plaintiff’s First Amended Complaint is largely incoherent and partially illegible . . . .”); *Karupaiyan v. Int’l SOS*, No. 21-1853, 2021 WL 6102077, at \*1 (3d Cir. Dec. 22, 2021) (affirming dismissal of Plaintiff’s similar allegations in a previous action and noting the complaint “lacked any comprehensible factual narrative”); *Karupaiyan v. CVS Health Corp.*, No. 19-8814, 2021 WL 4341132, at \*36 (S.D.N.Y. Sept. 23, 2021) (explaining that despite having an opportunity to amend, the benefit of multiple rounds of pre-motion letters from defendants, and despite the court’s leeway in construing his claims liberally, “there remain fundamental deficiencies in most of Plaintiffs’ claims.”). Plaintiff has once again filed a lawsuit that fails to adhere to the relevant pleading standards. It seems clear to the Court that Plaintiff is recycling his complaints in different courts against different defendants in an attempt to shepherd through some of his claims. In response to such abuse of judicial process, it is “well within the broad scope of the All Writs Act, 28 U.S.C. § 1651(a), for a district court to issue an order restricting the filing of meritless cases by a litigant whose manifold complaints . . . raise concern for maintaining order in the court’s dockets.” *Marrakush Soc. v. N.J. State Police*, No. 09-2518, 2009 WL 2366132, at \*36 (D.N.J. July 30, 2009). This Court, therefore, strongly urges Plaintiff to take his litigation in this District (and in all other courts) with utmost seriousness. While the Court stands ready to address Plaintiff’s bona fide claims, and to grant relief if warranted, the Court will not tolerate frivolous litigation that wastes judicial resources. The Court expressly warns Plaintiff that any future abuse of legal process might trigger sanctions, including an imposition of limitations on Plaintiff’s ability to initiate such legal actions in the future.

10. The Court therefore **DISMISSES** the Complaint as an impermissible shotgun pleading. The dismissal is *without prejudice* to Plaintiff's ability to replead. If Plaintiff repleads, he must clearly outline the facts supporting his claims; which of the Defendants committed which acts; what claims he intends to bring against each of the Defendants; and which factual allegations relate to each claim. He may do so by submitting, with an amended complaint, an addendum outlining the appropriate information in separately numbered paragraphs. Plaintiff is on notice that failure to file an amended complaint on time or to cure the deficiencies in the Complaint will result in a dismissal with prejudice.

Accordingly, it is on this 27th day of January 2023,

**ORDERED** that Plaintiff's IFP application (D.E. No. 1-2) is **GRANTED**; and it is further,

**ORDERED** that Plaintiff's Complaint (D.E. No. 1) is **DISMISSED** *without prejudice* for failure to state a claim upon which relief may be granted; and it is further,

**ORDERED** that the Clerk of the Court is directed to **CLOSE** this matter; and it is further,

**ORDERED** that Plaintiff may file an amended complaint within 30 days from the date of this Order addressing the deficiencies outlined above.

/s/ Esther Salas,  
Hon. Esther Salas, USDJ

**IV. APPENDIX-D: NOTICE OF PETITION FOR  
MANDAMUS**

United States District Court for the New Jersey  
Docket Number 22-01349 (ES) (JRA)

Palani Karupaiyan RP, PP, appellant v. TATA CONSULTANCY SERVICES (TCS), et al., Respondents.	Notice of Petition for Writ(s) of Mandamus, Prohibition or alternative
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Palani Karupaiyan, RP, PP (name all parties taking the petition) Petition for Writ(s) of Mandamus, prohibition or alternative to the United States Court of Appeals for the 3rd Circuit from the order  

**ORDER ECF-5 that dismissed the complaint without prejudice (Entire order)**  
(describe the order) entered on Jan/27/2023  
(state the date the order was entered).

*/s/ K. Pazhani.*  
Attorney for Pro se, Palani Karupaiyan

Date: Feb 11 2023

- 1) Order dated Jan 27 2023 ECF-5 is attached.

**V. APPENDIX-E : US LAWSUIT ACCUSES TCS OF  
FAVORING INDIAN AND SOUTH ASIAN  
CANDIDATES**

	<a href="https://economictimes.indiatimes.com/tech/information-tech/us-lawsuit-accuses-tcs-of-favouring-indian-and-south-asian-candidates/articleshow/96171273.cms">https://economictimes.indiatimes.com/tech/information-tech/us-lawsuit-accuses-tcs-of-favouring-indian-and-south-asian-candidates/articleshow/96171273.cms</a>
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Shawn Katz, <i>Plaintiff</i> v. Tata Consultancy Services Ltd <i>Defendant</i>	In The Untitled States Dist Court- New Jersey 22-cv-7069(BRM)(JRA)
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Top Indian IT services provider by revenue, **Tata Consultancy Services (TCS)**, is facing a **class action civil rights lawsuit** from a former employee in the **United States** accusing it of discriminatory hiring practices.

Shawn Katz has filed the lawsuit seeking relief for alleged discrimination on the basis of race and national origin at the US District Court for the District of New Jersey, according to case details accessed by ET.

Katz has alleged that the software firm has engaged in a pattern or practice of discriminating against individuals who are not South Asian or Indian by favouring them in hiring and employment decisions.

A class-action suit is a type of legal action where one of the parties is a group of people who are represented collectively by a member or members of that group.

“As per policy, we can't comment on sub judice matters,” TCS said in response to ET's queries.

In 2018, a California district court ruled in favour of TCS in a similar lawsuit filed by three former employees. The jury had rejected claims that the Indian IT firm preferred to staff its US offices with Indians instead of Americans.

The complaint accused TCS of “knowingly and intentionally creating and maintaining an overwhelmingly disproportionate workforce in the United States that consists of approximately 70% South Asian employees (primarily from India).”

According to the lawsuit, while only about 12% to 13% of the United States' IT industry is South Asian, approximately 70% of TCS's United States workforce is South Asian and is primarily composed of Indian employees who are in the US via work visas.

“Throughout the class liability period, TCS has used discriminatory policies and practices related to hiring, staffing, promotion, and termination described herein that have resulted in a disparate impact on non-South Asians and non-Indians who, as a result, are disproportionately not hired, not selected for positions, not promoted, benched, and/or terminated. These practices are neither job-related for the positions at issue nor consistent with business necessity,” the complaint states.

The complaint claims that TCS' talent acquisition strategies are designed to attract and favour Indian

candidates. It further states that TCS offers better career growth opportunities to candidates on visas over non-Indian and non-South Asian candidates.

“... this grossly disproportionate workforce is the result of TCS’s intentional pattern or practice of employment discrimination against individuals who are not of South Asian race or Indian national origin and its utilization of employment practices that have a disparate impact on these same groups,” said the complaint.

Katz, who worked with TCS for over nine years, has claimed that he was fired for not finding right opportunities within the organisation due to a lack of assistance from the hiring teams that allocate employees to various projects.

In relief, the complainant has requested that TCS be prevented from engaging in unlawful employment practices and adopt non-discriminatory hiring practices. The complainant has also sought compensation for the damages.

Other Indian IT firms such as Infosys, HCLTech and Wipro have also faced similar lawsuits in the country on various counts of discriminatory employment practices

**VI. APPENDIX-F: LA JURY AWARDS MORE THAN \$460 MILLION TO 2 FORMER SOCAL EDISON EMPLOYEES IN HARASSMENT LAWSUIT**



<https://www.dailybreeze.com/2022/06/03/1-a-jury-awards-more-than-460-million-to-2-former-socal-edison-employees-in-harassment-lawsuit/>

A Los Angeles jury awarded more than \$464 million to two men who accused Southern California Edison of forcing them out of their jobs after complaining about sexual and racial harassment at the utility's South Bay office, attorneys announced this week.

The decision included \$24.6 million in compensatory damages and \$440 million in punitive damages to plaintiffs Alfredo Martinez and Justin Page, said David deRubertis, an attorney who represented the men.

Punitive damages exceed compensation and are meant to punish a defendant.

“(The awards) send a very loud message to all public agencies, utilities and corporations to never allow – and definitely never cover up – such merciless sexual and racial harassment,” deRubertis said in a statement.

SCE plans to challenge the decision and seek a new trial, spokeswoman Diane Castro said Friday.

“The jury’s decision is not consistent with the facts and the law and does not reflect who we are or what we stand for,” she said.

Martinez had worked at SCE for 16 years and had a spotless record, deRubertis said, but was subjected to six retaliatory complaints within 30 days of reporting the harassment. Some of those complaints were anonymous, while others were by the supervisors he reported.

In response, the utility “conducted a sham investigation” and used the retaliatory complaints to push Martinez out of the company, deRubertis said.

Page also received threats of retaliation after he anonymously reported the harassment, deRubertis said. His complaints were mostly ignored, while the threats interfered with his ability to work and followed him after he transferred to the utility’s Fullerton office.

Page ultimately took a leave of absence and did not return to work, deRubertis said.

Jurors heard more than eight weeks of trial, which included evidence that the South Bay office had a fraternity-like culture in which the harassment was “widespread, common and sometimes swept under the rug,” the plaintiffs’ attorneys said.

The trial included 25 witnesses and hundreds of exhibits, they said.

The amount in punitive damages was \$140 million more than deRubertis had suggested to the jury, he said. Martinez was awarded \$400 million, while Page was awarded \$40 million.

Of the total punitive damages, SCE was liable for \$110 million and Edison International was liable for \$330 million, the attorneys said.

The jury awarded \$22.37 million in compensatory damages to Martinez, believed to be the largest award in a Fair Employment & Housing Act case in California history, the attorneys said.

“These two men had the courage to stand up and report the harassment,” deRubertis said. “We’re incredibly grateful that the jury saw through this deception.”

#### VII. APPENDIX-G: DIST COURT'S DOCKET ENTRIES

Doc. No.	Dates	Description
<u>1</u>	<i>Filed &amp; Entered:</i> 03/14/2022	• Complaint Received
<u>2</u>	<i>Filed &amp; Entered:</i> 03/14/2022	• Notice of Guidelines for Pro Se Filers
<u>3</u>	<i>Filed:</i> 03/18/2022 <i>Entered:</i> 03/21/2022	• Letter
<u>4</u>	<i>Filed:</i> 04/03/2022 <i>Entered:</i> 04/05/2022	• Letter
<u>5</u>	<i>Filed &amp; Entered:</i> 01/27/2023	• Order Granting/Denying In Forma Pauperis
<u>7</u>	<i>Filed:</i> 02/01/2023 <i>Entered:</i> 02/07/2023	• Notice of Appeal (USCA)
<u>8</u>	<i>Filed:</i> 02/01/2023 <i>Entered:</i> 02/07/2023	• Motion for Leave to Appeal in forma pauperis
<u>6</u>	<i>Filed &amp; Entered:</i> 02/03/2023	• Letter

	<i>Filed &amp; Entered:</i> 02/07/2023	● Set/Reset Motion and R&R Deadlines/Hearings
10	<i>Filed:</i> 02/08/2023 <i>Entered:</i> 02/09/2023	● Letter
9	<i>Filed &amp; Entered:</i> 02/09/2023	● Order
12	<i>Filed:</i> 02/11/2023 <i>Entered:</i> 02/15/2023	● Notice (Other)
11	<i>Filed &amp; Entered:</i> 02/13/2023	● USCA Case Number
13	<i>Filed &amp; Entered:</i> 02/16/2023	● Letter
14	<i>Filed:</i> 02/16/2023 <i>Entered:</i> 02/17/2023 <i>Terminated:</i> 03/03/2023	● Motion for Reconsideration
	<i>Filed &amp; Entered:</i> 02/17/2023	● Set/Reset Motion and R&R Deadlines/Hearings
15	<i>Filed &amp; Entered:</i> 03/03/2023	● Order

#### VIII. APPENDIX-H : MONEY COMPENSATION TO THE PETITIONER

	Claim	Money Compensation	Under Law
1	Legal proceeding cost, suffering	\$15 Million	
2	Race	\$300,000	Title VII

		\$22 Million	42 USC§1981, 1988, NJLAD
3	Color	\$300,000	Title VII
		\$22 Million	42 USC§1981, 1988 ,NJLAD
4	Religion	\$300,000	Title VII
		\$22 Million	NJLAD
5	National Origin	\$300,000	Title VII
		\$22 Million	NJLAD
6	Genetic Status	\$22 Million	GINA,NJLAD
7	Disability Status	\$22 Million	ADA, NJLAD
8	US Citizenship	\$22 Million	42 USC§1981, 1988, INA, NJLAD
9	Favoring Foreigner against US Citizen	\$22 Million	42 USC§1981, 1988, NJLAD
10	Age discrimination	\$22 Million	ADEA, NJLAD
11	Failure to Hire	\$300,000	Title VII
		\$22 Million	42 USC§1981, 1988,NJLAD, INA
12	<b>Dishonoring court order</b>	\$22 Million	<b>All writs act</b>
	<b>Total</b>	<b>\$258.5 Million</b>	