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# Apple Facing Discrimination Claims By In-House Lawyer

David Ruiz, The Recorder

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SAN FRANCISCO—A former in-house attorney at Apple Inc. has sued the company for alleged age and gender discrimination, alleging men were offered more-flexible work schedules and that her supervisors gave conflicting directions that put her in a "no-win" situation. Defending Apple is Orrick, Herrington & Sutcliffe partner Lynne Hermle, a prominent employment lawyer who defeated gender discrimination claims against the famed venture capital firm Kleiner Perkins Caufield & Byers.

In a complaint filed in Los Angeles Superior Court on June 1, a former Apple lawyer going by "Jane Doe" to shield her identity accuses Apple of age discrimination, gender discrimination and wrongful termination in violation of California labor laws. The case is assigned to Los Angeles Superior Court Judge Michael Johnson.

"This firing has really turned her life upside down," said the plaintiff's lawyer Carney Shegerian of the Santa Monica-based employment and personal injury firm Shegerian & Associates. "We need Apple to acknowledge what they did here."

According to the complaint, Apple hired the plaintiff as global product safety counsel in February 2014 while she lived primarily in Los Angeles and worked out of affiliate offices—an arrangement her original boss allowed. The plaintiff says she got a new boss, senior director of products law Michael Miramontes, a few months later because of a reorganization.

Miramontes, who is a defendant in the case, allegedly asked the plaintiff to move her family to Northern California. Eventually, he "begrudgingly" allowed the plaintiff work in Los Angeles on Fridays, "even though plaintiff was aware that male attorneys in the department had deals whereby they worked from Sunnyvale only two days a week or would work from another state one week a month," the complaint said.

Miramontes also allegedly admonished the plaintiff for not flying to Korea to deal with a product safety issue there. Because of that criticism, the plaintiff says she later offered to visit a Chinese manufacturing facility to handle "safety issues" for a line of Bluetooth speakers made by Apple unit

Beats Electronics. "But even that offer was criticized by Miramontes," wrote the plaintiff's lawyers, "placing plaintiff in a no-win situation." Miramontes fired the plaintiff in January, the complaint states.

On Aug. 19, Johnson denied a request from Apple to move the lawsuit to Santa Clara. Shegerian, the plaintiff's attorney, said Apple may have been hoping for a more tech-friendly venue. "I think, historically, juries in downtown L.A. tend to be more realistic about the working situation and a lot of the inequities that occur when dealing with one of the most powerful companies in the world," Shegerian said. "You may not get that in Silicon Valley where people may have their own motives and biases, even as sitting jurors, and be looking up to these corporations as being wonderful and do-gooders."

Shegerian didn't spare jurors in his own backyard of Los Angeles from criticism, though. They tend to give entertainment industry "a lot of deference," he says, "and it's really sad."

Shegerian has prevailed in employment law cases before. He won a \$26.1 million verdict for a client fired from Staples Inc. And a Los Angeles jury awarded another client \$16.5 million in punitive damages after finding the client's employer discriminated against her because of a mental disability.

But Shegerian is up against formidable opposing counsel. Last year, a team of Orrick attorneys led by Hermle won a defense verdict for Kleiner Perkins in a gender discrimination case brought by former junior investing partner Ellen Pao. The blockbuster jury trial shone light into the secretive venture capital world, with the parties calling high-profile witnesses like Mary Meeker, the informally titled "Queen of the Net" and a current Kleiner Perkins partner.

Shegerian says he isn't fazed by Hermle's experience.

"Good luck to her," he said. "Pao's case was an extremely thin case and it had major credibility problems. I think any firm could've defended it."

Hermle declined to comment for this article.

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