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Clerk of Court
Superior Court of CA,
County of Santa Clara
25CV476501
Reviewed By: M. Johnson

5 SUPERIOR COURT OF CALIFORNIA
6 COUNTY OF SANTA CLARA
(CIVIL UNLIMITED JURISDICTION)

7
8 SU-SYIN CHOU;

9 Plaintiff,
vs.

10 SAN JOSE FIRE DEPARTMENT; JAMES DOBSON,
11 INDIVIDUALLY AND AS AN EMPLOYEE OF THE
12 SAN JOSE FIRE DEPARTMENT; AND DOES 1 TO
100.

13 Defendants.

25CV476501

Case No.:

COMPLAINT FOR DAMAGES:

1. DISCRIMINATION;
2. FAILURE TO PREVENT DISCRIMINATION;
3. HARASSMENT;
4. RETALIATION;

EXEMPLARY DAMAGES

DEMAND FOR A JURY TRIAL

16 PARTIES

17 1. Plaintiff Su-Syin Chou is an Asian female of Taiwanese descent. From March 2020 to
18 present, Plaintiff has worked as a Senior Engineer with the Bureau of Fire Prevention for the San
19 José Fire Department. Plaintiff obtained her position because she is a highly qualified and
20 licensed civil engineer that possesses a master's degree and over 30 years of relevant experience
21 in both the private and public sectors.

22 2. Defendant San Jose Fire Department (herein, "SJFD") is a government agency organized
23 and existing under the laws of the State of California and located within the State of California.
24 SJFD provides fire protection, rescue, and emergency medical services to the city of San José,
25 California. At all relevant times herein, SJFD employed more than 50 persons and was owned,
operated, and managed by the City of San Jose.

26 3. On information and belief, Defendant James Dobson, is a Caucasian male who was and is

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employed as an Assistant Chief by the SJFD. Defendant Dobson has managed Plaintiff from February 2022 to present.

4. The true names and capacities, whether individual, corporate, or otherwise, of Defendants Does 1-100 inclusive, are unknown to Plaintiff, who therefore sues them by such fictitious names. Plaintiff will seek leave to amend this Complaint to allege their true names and capacities when they have been ascertained. Plaintiff is informed and believes and thereon alleges that each of the fictitiously named Defendants is responsible in some manner for the occurrences herein alleged and that Plaintiffs' damages as herein alleged were proximately caused by those Defendants. At all times herein mentioned, Defendants Does 1-100 inclusive were the agents, servants, employees, or attorneys of their co-Defendants, and in doing the things hereinafter alleged, were acting within the course and copy of their authority as those agents, servants, employees, or attorneys, and with the permission and consent of their co-Defendants.

5. Plaintiff is informed and believes, and based thereon alleges, that at all relevant times, each Defendant was the agent of the other Defendant, and in doing the things herein alleged, each Defendant was acting in the course and scope of such agency with the consent, notification, and permission of each of the other Defendant. Each Defendant ratified the actions of the other Defendants and named employees as alleged herein.

JURISDICTION AND VENUE

6. This case involves employment incidents that were completed within the county of Santa Clara and involve more than \$35,000 in damages. Accordingly, this Court's unlimited civil division has jurisdiction over this dispute.

7. Venue is proper in this Court because the harms alleged in this claim occurred in Santa Clara County. Consequently, the witnesses and evidence are located within this jurisdiction. Each Defendant resides, works, and/or does substantial business within this jurisdiction. As a result, venue is proper in this Court.

COMMON ALLEGATIONS

8. Plaintiff Su-Syin Chou is an Asian female of Taiwanese descent. From March 2020 to

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1 present, Plaintiff has worked as a Senior Engineer with the Bureau of Fire Prevention for the San
2 José Fire Department. Plaintiff obtained her position because she is a highly qualified and
3 licensed civil engineer that possesses a master's degree and over 30 years of relevant experience
4 in both the private and public sectors.

5 9. On or about February 2022, Deputy Chief James Dobson assumed the role of Fire
6 Marshal for the San José Fire Department. As such, he was employed in a position of authority
7 over Plaintiff and imbued with the power to hire and fire Plaintiff. On information and belief,
8 Defendant Dobson is a Caucasian male. Upon assuming the role as Assistant Chief, Defendant
9 Dobson took several actions to harass Plaintiff based upon her race and gender (Plaintiff is an
Asian Female).

10 10. During her initial meeting with Defendant Dobson, on or about February 2022,
11 Defendant Dobson asked questions about Plaintiff's name. Specifically, Defendant wanted to
12 know the national and/or racial origin of Plaintiff's name. Plaintiff observed that Defendant did
13 not ask similarly situated Caucasian employees questions about their ancestry. This made
14 Plaintiff feel uncomfortable.

15 11. Upon learning that Plaintiff was from Taiwan, Defendant remarked that Plaintiff was
16 **"MIT: Made in Taiwan."** Plaintiff did not laugh. Plaintiff did not know Defendant Dobson
17 personally. Based upon Defendant's demeanor and the fact that he laughed, Plaintiff believed
18 that Defendant Dobson's comment was intended to embarrass and demean Plaintiff by relying
19 upon the stereotype that Asian people are good at math and/or comparable to imports shipped to
20 the U.S. from Taiwan. Plaintiff observed that Defendant did not make racially derogatory jokes
and/or comments to similarly situated Caucasian employees.

21 12. In March 2022, just one month later, Defendant Dobson made another racially derogatory
22 comment to Plaintiff. Defendant learned that Plaintiff had children. Defendant Dobson referred
23 to Plaintiff's children as "**ABCs (American-Born Chinese)**". Thereafter, Defendant Dobson
24 said that Plaintiff's daughter was "**like a banana: white on the inside, yellow on the outside.**"
25 Plaintiff understood that Defendant was making a personal comment about Plaintiff's daughter
26 that was unrelated to Plaintiff's work and that the comment was intended to be derogatory.
27 Specifically, Defendant Dobson was referring to Asian persons in a historically racist fashion as

1 “yellow”. Defendant was also insinuating that Plaintiff’s daughter was acting like a Caucasian
2 person. Plaintiff observed that Defendant did not make racially derogatory comments and/or
3 jokes to similarly situated Caucasian persons working in the office.

4 13. From February through June 2022, Defendant Dobson met with Plaintiff on several
5 occasions. During these meetings, Defendant repeatedly mocked Plaintiff’s accent and told her
6 to “enunciate”. These comments were often made in front of other co-workers. Defendant
7 Dobson’s comments made Plaintiff feel humiliated.

8 14. In October 2023, Plaintiff reported Defendant Dobson’s acts of harassment and
9 discrimination to Carolyn Gibson, Senior Executive Analyst with the City Manager’s Office of
10 Employee Relations. The San Jose Fire Department represented that they investigated Plaintiff’s
11 claims. However, based upon information and belief, the department failed to interview the
12 witnesses that Plaintiff identified in her complaint. As a result, Plaintiff alleges that Defendant
13 SJFD failed to take adequate steps to prevent and/or stop the harassment and discrimination.

14 15. In November 2022, Plaintiff applied for the Engineer Division Manager position. Two
15 other employees applied for the position. One was a male co-worker named Jagdev Mavi. The
16 other persons that applied for the position was Farheen Sultana, a female. Despite lacking the
17 minimum qualifications—no engineering degree, less than the required three years of senior
18 engineering experience, and no relevant background—Mr. Mavi was promoted to Acting
19 Division Manager by Mr. Dobson. In April 2023, Mr. Mavi was permanently promoted to the
20 position. Based upon information and belief, Mr. Mavi did not meet the minimal job
21 requirements that were advertised and he was less qualified than both female applicants.

22 16. Both Ms. Sultana and Plaintiff were fully qualified, yet the only male candidate was
23 selected, despite his lack of experience and credentials.

24 17. On or around September 1, 2023, Plaintiff was placed on a Performance Improvement
25 Plan (PIP) by Division Manager Jagdev Mavi at the direction of Mr. Dobson. The PIP was
26 scheduled to end on December 15, 2023. While on the PIP, Plaintiff was denied valuable benefits
27 such as remote work, step increases, five executive leave days, and other benefits.

28 18. On October 3, 2023, I formally reported Mr. Dobson’s discriminatory conduct and hiring
practices to Ms. Gibson.

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19. Despite fulfilling the requirements of the PIP, it was extended unnecessarily, adding additional check-ins. The PIP did not conclude until May 2024. As a result, Plaintiff lost out on key employment benefits for nearly eight months. Other employees that did not report discrimination and harassment were not treated in the same fashion as Plaintiff or denied the benefits described above.

20. As a result of the acts alleged herein, Plaintiff has suffered a loss of promotion, loss of career opportunities, loss of benefits, loss of income, loss of future income, loss of professional reputation, as well as suffered emotional distress and pain and suffering.

21. Based upon the foregoing facts, Plaintiff filed complaints regarding the above matters with both the California Civil Rights Department (CRD Case No. 20240424487325) and the U.S. Equal Employment Opportunity Commission (EEOC Case No. 37A-2024-02566). Plaintiff's cases were closed and she was issued a Notice of Right to Sue.

PLAINTIFF'S CAUSES OF ACTION

FIRST CAUSE OF ACTION

DISCRIMINATION IN VIOLATION OF FEHA [Cal. Gov't Code sec. 12940 et seq.]

[Plaintiff v. SJFD]

22. Plaintiff incorporates by reference any and all paragraphs previously alleged as set forth fully herein.

23. Plaintiff is an Asian female employed as a Senior Engineer at the San Jose Fire Department.

24. Defendant SFD is a government agency that employed more than 50 persons to work in and around San Jose, California. On information and belief, SJFD was owned, operated, controlled, and managed by the City of San Jose and its staff, including Plaintiff. Defendant Dobson was employed and directed by the remaining Defendants.

25. Defendant Dobson took actions against Plaintiff and directed others to take actions against Plaintiff based upon Plaintiff's race and gender. Defendants, each of them, took several negative employment actions against Plaintiff, including subjecting Plaintiff to derogatory racial

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jokes; harassment; wrongfully denying Plaintiff a promotion while granting a promotion to a less qualified male whom; wrongfully denying benefits such as executive leave days, work from home, and step increase in pay to Plaintiff that were afforded to other similarly situated employees that were not Asian females; wrongfully placing Plaintiff on a performance improvement plan;

26. Plaintiff's Asian race and female gender were a substantial motivating factor for Defendants taking each of these actions against Plaintiff. Defendants' actions were a substantial factor in causing Plaintiff to suffer harm, including loss of wages, loss of stock options, loss of promotions, loss of opportunity for career advancement, loss of professional reputation, and severe emotional distress all in an amount to be proven at trial.

SECOND CAUSE OF ACTION

FAILURE TO PREVENT DISCRIMINATION [Cal. Gov't Code sec. 12940 et seq.]

[Plaintiff v. San Jose Fire Department]

27. Plaintiff incorporates by reference any and all paragraphs previously alleged as set forth fully herein.

28. Plaintiff is an Asian female employed as a Senior Engineer at the San Jose Fire Department.

29. Defendant SJFD is a government agency that employed more than 50 persons to work in and around San Jose, California. On information and belief, SJFD was owned, operated, controlled, and managed by the City of San Jose and its staff. Defendant Dobson was employed and directed by the remaining Defendants.

30. Defendant Dobson took discriminatory actions against Plaintiff and directed others to take actions against Plaintiff based upon Plaintiff's race and gender. Defendants, each of them, took several negative employment actions against Plaintiff, including subjecting Plaintiff to derogatory racial jokes; harassment; wrongfully denying Plaintiff a promotion while granting a promotion to a less qualified male whom; wrongfully denying benefits such as executive leave days, work from home, and step increase in pay to Plaintiff that were afforded to other similarly situated employees that were not Asian females; wrongfully placing Plaintiff on a performance

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improvement plan; Plaintiff's Asian race and female gender were a substantial motivating factor for Defendants taking each of these actions against Plaintiff.

31. Although Plaintiff filed complaints, Defendants failed to take reasonable steps to prevent the discrimination against Plaintiff.

32. Defendants' actions were a substantial factor in causing Plaintiff to suffer harm, including loss of wages, loss of stock options, loss of promotions, loss of opportunity for career advancement, loss of professional reputation, and severe emotional distress all in an amount to be proven at trial.

THIRD CAUSE OF ACTION

HARASSMENT [Cal. Gov't Code sec. 12940 et seq.]

[Plaintiff v. San Jose Fire Department; Defendant Dobson]

33. Plaintiff incorporates by reference any and all paragraphs previously alleged as set forth fully herein.

34. Plaintiff is an Asian female employed as a Senior Engineer at the San Jose Fire Department.

35. Defendant SJFD is a government agency that employed more than 50 persons to work in and around San Jose, California. On information and belief, SJFD was owned, operated, controlled, and managed by the City of San Jose and its staff. Defendant Dobson was employed as a supervisor by Defendants and took the direction of the remaining Defendants.

36. Defendant Dobson took actions that constitute harassment of Plaintiff and directed others to take actions against Plaintiff based upon Plaintiff's race and gender. Defendants, each of them, took several negative employment actions against Plaintiff, including subjecting Plaintiff to derogatory racial jokes; harassment; wrongfully denying Plaintiff a promotion while granting a promotion to a less qualified male whom based upon Plaintiff's complaints against Dobson; wrongfully denying benefits such as executive leave days, work from home, and step increase in pay to Plaintiff that were afforded to other similarly situated employees that were not Asian females; wrongfully placing Plaintiff on a performance improvement plan in retaliation for Plaintiff complaining about Dobson; Plaintiff's Asian race and female gender were a substantial motivating factor for Defendants taking each of these actions against Plaintiff.

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37. The harassment Plaintiff encountered was severe and pervasive in that it began in 2022 and lasted until present. It affected all aspects of Plaintiff's job assignment, including her pay, promotions, benefits, and reputation. Although Plaintiff filed complaints, Defendants failed to take reasonable steps to prevent the harassment against Plaintiff.

38. A reasonable person in Plaintiff's position would have interpreted the above-cited acts to be abusive, harassing, and threatening. Plaintiff in fact considered the actions of Defendants to be abusive, harassing, and threatening conduct that exceeded all lawful bounds of society.

39. Defendants' actions were a substantial factor in causing Plaintiff to suffer harm, including loss of wages, loss of stock options, loss of promotions, loss of opportunity for career advancement, loss of professional reputation, and severe emotional distress all in an amount to be proven at trial.

THIRD CAUSE OF ACTION

RETALIATION [Cal. Gov't Code sec. 12940(h) et seq.]

[Plaintiff v. San Jose Fire Department; Defendant Dobson]

40. Plaintiff incorporates by reference any and all paragraphs previously alleged as set forth fully herein.

41. Plaintiff is an Asian female employed as a Senior Engineer at the San Jose Fire Department.

42. Defendant SJFD is a government agency that employed more than 50 persons to work in and around San Jose, California. On information and belief, SJFD was owned, operated, controlled, and managed by the City of San Jose and its staff. Defendant Dobson was employed as a supervisor by Defendants and took the direction of the remaining Defendants.

43. On or about October 2023, Plaintiff reported the harassment and discrimination of Assistant Chief Dobson to the SJFD.

44. In retaliation, Defendant Dobson took several adverse employment actions against Plaintiff and directed his staff to do so as well. Defendants, each of them, took several negative employment actions against Plaintiff, including subjecting Plaintiff to additional derogatory racial jokes; wrongfully denying Plaintiff a step increase in pay; wrongfully denying benefits

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1 such as executive leave days, work from home; wrongfully extending Plaintiff's performance
2 improvement plan in retaliation for Plaintiff complaining about Dobson;

3 45. Defendants were substantially motivated to retaliate against Plaintiff for filing her
4 complaint again Dobson.

5 46. Defendants' actions were a substantial factor in causing Plaintiff to suffer harm, including
6 loss of wages, loss of stock options, loss of promotions, loss of opportunity for career
7 advancement, loss of professional reputation, and severe emotional distress all in an amount to
8 be proven at trial.

9 WHEREFORE, Plaintiff prays for the following relief.

10 PRAYER FOR RELIEF

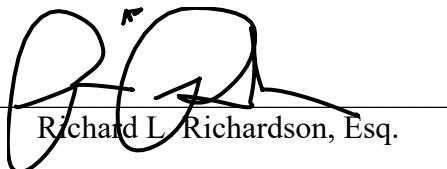
11 Plaintiff prays for judgment as follows:

12 1. Awarding compensatory damages against all Defendants, jointly and severally, in an
13 amount to be proven at trial;
14 2. Awarding appropriate equitable relief, including injunctive or declaratory relief
15 necessary to change and/or reform the San Jose Fire Department and Asst. Chief
16 Dobson's governance, policies, and culture;
17 3. Awarding punitive damages at the maximum amount permitted by law;
18 4. Awarding pre-judgment interest, as well as reasonable attorney's fees and other costs;
19 5. Awarding such other relief as this Court may deem just and proper.

20 Dated: September 19, 2025

21 SIEGAL & RICHARDSON LLP

22 By:

23 
Richard L. Richardson, Esq.

24 Attorney for Plaintiff

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JURY TRIAL DEMAND

Plaintiffs hereby demand a trial by jury of all issues which are subject to adjudication by a trier of fact.

Dated: September 19, 2025

Richard L. Richardson, Esq.

Attorney for Plaintiff

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