

Assigned for all purposes to: Stanley Mosk Courthouse, Judicial Officer: Malcolm Mackey

1 Scott J. Street (SBN 258962)  
2 JW HOWARD/ATTORNEYS, LTD.  
3 201 South Lake Avenue, Suite 303  
4 Pasadena, CA 91101  
5 Telephone: (213) 205-2800  
6 Email: [sstreet@jwhowardattorneys.com](mailto:sstreet@jwhowardattorneys.com)

7 John W. Howard (SBN 80200)  
8 Michelle D. Volk (SBN 217151)  
9 JW HOWARD/ATTORNEYS, LTD.  
10 701 B Street, Suite 1725  
11 San Diego, California 92101  
12 Telephone: 619-234-2842  
13 Facsimile: 619-234-1716  
14 Email: [johnh@jwhowardattorneys.com](mailto:johnh@jwhowardattorneys.com)

15 Attorneys for Plaintiff, PAMELA PETROFF

16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
17 **FOR THE COUNTY OF LOS ANGELES**  
18 **CENTRAL DIVISION**

19 PAMELA PETROFF, an individual,  
20  
21 Plaintiff,

22 vs.

23 KARA VALLOW, an individual; DISNEY  
24 TELEVISION STUDIOS, INC., a  
25 California corporation; THE WALT  
26 DISNEY COMPANY, a Delaware  
27 corporation; and DOES 1 through 10,  
28 inclusive,  
29 Defendants.

Case No. **22STCV27474**

**COMPLAINT FOR DAMAGES AND  
DECLARATORY/INJUNCTIVE RELIEF  
FOR VIOLATION OF CIVIL RIGHTS**

**JURY TRIAL REQUESTED**

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JW HOWARD/ ATTORNEYS, LTD.  
701 B STREET, SUITE 1725  
SAN DIEGO, CALIFORNIA 92101

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Plaintiff Pamela Petroff alleges as follows:

**PARTIES, JURISDICTION AND VENUE**

1. Ms. Petroff is an individual who resides in Los Angeles County. At all relevant times alleged in this complaint, she worked as a receptionist at 20th Television Animation (20TVA), a unit of Disney Television Studios, Inc.

2. Defendant Kara Vallow is an individual who, on information and belief, resides in Los Angeles County. Ms. Vallow is a producer who works at 20th Television Animation, to which she was recruited by Seth MacFarlane.

3. Defendant Disney Television Studios, Inc., is a corporation formed under the laws of the State of California. Its principal place of business is in Burbank, within Los Angeles County. It is a wholly owned subsidiary of Walt Disney Television, a division of The Walt Disney Company.

4. Defendant The Walt Disney Company is a corporation formed under the laws of the State of Delaware. Its principal place of business is in Burbank, within Los Angeles County.

5. At all relevant times alleged in this Complaint, Ms. Vallow was acting within the course and scope of her employment at 20TVA and with the full knowledge and approval of her supervisors at Disney Television Studios and The Walt Disney Company. Furthermore, the actions alleged in this Complaint arose from a policy developed by The Walt Disney Company to apply to all its wholly owned subsidiaries and the employment decisions were made by an employee of The Walt Disney Company pursuant to that uniform policy. Therefore, Ms. Petroff sues both of the relevant Disney entities in this lawsuit. For ease of reference, where appropriate, these entities are referred to collectively as “Disney” in this Complaint.

6. Defendant DOES 1 through 10 are individuals who at all relevant times were officials, agents or employees of ABC and who bear some responsibility for the actions alleged in this Complaint. Their identities are not yet known and thus they are sued fictitiously but Plaintiff will amend the Complaint after she discovers them.

7. Venue exists in Los Angeles County under sections 393(b) and 394(a) of the Code of Civil Procedure because the parties reside here, and the effects of Defendant’s actions are felt here.

**FACTUAL ALLEGATIONS**

1  
2 8. In early 2020, health officials discovered a novel coronavirus circulating in Wuhan,  
3 China. They named the disease caused by the virus “Covid-19.”

4 9. Though nobody knew it at the time, the Covid-19 pandemic would lead to  
5 unprecedented restrictions on liberty. Many of the restrictions started in California.

6 10. During 2020, at the urging of then President Donald Trump, several pharmaceutical  
7 companies began developing experimental treatments to mitigate the effects of Covid-19 and,  
8 potentially, reduce its spread.

9 11. The Covid-19 shots were so controversial that then presidential candidate Joe Biden  
10 would not commit to receiving one. Then vice presidential candidate Kamala Harris said she would  
11 not take them if Trump recommended it. Governor Gavin Newsom also questioned the treatments,  
12 saying he did not trust the Trump Administration and would review the treatments independently.

13 12. Then Mr. Biden won the presidency and many tunes changed. Still, President-elect  
14 Biden said he would not mandate that Americans get the Covid shots.

15 13. By the summer of 2021, tens of millions of Americans had chosen to take the Covid-  
16 19 vaccines, including more than half of adults in California. They did so by choice not by coercion.  
17 But Covid-19 had not disappeared. That should not have surprised anyone. Public health officials  
18 have repeatedly said that eliminating a respiratory virus is impossible once it begins spreading in the  
19 community. The CDC’s Rochelle Walensky admitted in August of 2021 the shots did not prevent  
20 transmission or infection.

21 14. Thus, anyone can still contract and spread the Covid-19 virus. Like the flu, Covid-19  
22 cannot be eliminated. The world will have to learn to live with it, as we live with many other  
23 pathogens, including people who got the Covid shots. Indeed, it is now undisputed that the Covid-19  
24 shots do not prevent people from contracting or spreading Covid-19. The most they can do is protect  
25 a person from severe illness or death. Even that benefit is disputed and, if it exists at all, wanes over  
26 time.

27 15. Nonetheless, during the second half of 2021, many employers decided to require that  
28 their employees get the Covid shots to keep their jobs. They did this largely in response to the

1 President’s statement that Americans were living in a “pandemic of the unvaccinated” and that  
2 universal vaccination was the only way to defeat Covid-19 (statements that proved to be false, of  
3 course).

4 16. To that end, during the summer of 2021, Disney decided that all its employees would  
5 have to get one of the Covid-19 shots or they would be fired. The mandate was unprecedented.  
6 Disney has never required that individuals get a shot to work for it. It never even inquired about such  
7 private medical information before the Covid pandemic, recognizing that California prohibits  
8 employers from conditioning employment on medical conformity.

9 17. Although Disney enforced its mandatory vaccination policy on some of its employees  
10 during the fall of 2021, it did not announce a mandatory vaccination policy for 20TVA employees  
11 until April 2022. At that point, Disney executives knew four things. *First*, none of the Covid shots  
12 prevent people from being infected with, or spreading, Covid-19. *Second*, although the Covid shots  
13 might reduce an infected person’s symptoms, that benefit wanes over time, making the additional  
14 booster shots necessary. *Third*, the United States Supreme Court had invalidated the federal  
15 government’s vaccine mandate for large employers, saying that Covid-19 is not a workplace risk that  
16 employers or the government have any power over; one cannot get vaccinated on the job and then  
17 get un-vaccinated after work. *Fourth*, the Equal Employment Opportunity Commission had told  
18 companies that they *must* acknowledge religious objections to the vaccination policies; companies  
19 cannot question the sincerity or verity of an individual’s beliefs and they cannot limit Covid-related  
20 religious exemptions to organized religions that reject all medicine. Moreover, the CDC has changed  
21 its guidance about Covid-19 policies and now does *not* recommend making any distinctions between  
22 people based on their vaccination status.

23 18. Despite this knowledge, Disney has pressed forward with its mandatory vaccination  
24 policy for 20TVA employees. But, while stressing the necessity of its actions, Disney did not require  
25 that any 20TVA employees get the booster shots. To this day, Disney has not required that anybody  
26 get any of the Covid booster shots. It does not intend to require the booster shots, either, as tens of  
27 thousands of employees would object and refuse to comply with that policy.

28 19. Disney does not have a reasonable basis for doing this. None exists. It simply believes

1 that it can absorb the loss of a few hundred unvaccinated employees, especially lower-level  
2 employees like Ms. Petroff.

3 20. Ms. Petroff is a Christian. She asserted a religious exemption to Disney’s mandatory  
4 vaccination policy. She also has an immune condition that precludes her from taking the Covid  
5 shots, due to their possible side effects, especially for women.

6 21. Disney refused to accommodate Ms. Petroff’s beliefs and medical condition. It forced  
7 her to be questioned by a Disney HR employee named Erin Nguyen whose goal was to deny Ms.  
8 Petroff any accommodation and to create a record to use against her later. Ms. Nguyen acted within  
9 the course and scope of her employment, and with the full knowledge and approval of Disney’s  
10 managing agents, in this process but she violated established law in doing so. She did not engage in a  
11 good faith process to find a way for Disney to accommodate Ms. Petroff’s unvaccinated status.  
12 Nobody did. There are many ways Disney could have accommodated Ms. Petroff, including by  
13 asking her to test for Covid-19 before coming into the office each week or offering her remote work  
14 options, including in a position in the 20TVA design department that she is qualified for and which  
15 is still working remotely. Indeed, like many companies, Disney has been offering remote work  
16 options to many of its employees.

17 22. Disney did not accommodate Ms. Petroff because, on information and belief, it had,  
18 and continues to have, a policy of denying all requests for accommodations to its mandatory  
19 vaccination policy, at least for employees in Disney’s entertainment business (the company has  
20 allowed more unvaccinated employees to work in its theme parks, especially in Florida). Disney’s  
21 policy for its entertainment divisions is universal vaccination. If you do not agree with that policy, or  
22 cannot comply, for whatever reason, you do not get to work for a Disney company.

23 23. In denying Ms. Petroff’s request for an accommodation, Ms. Nguyen stated that  
24 trying to accommodate her would interfere with 20TVA’s operations and constitute an undue  
25 burden. These statements were false.

26 24. Ms. Nguyen told Ms. Petroff she would be fired within two weeks if she did not  
27 comply with Disney’s mandatory vaccination policy.

28 25. Ms. Petroff pushed back against Disney’s unlawful actions. She informed the

1 company that, after being interviewed by Ms. Nguyen, her boss, Defendant Vallow, had told her she  
2 would be working remotely until July and then returning to the office. Ms. Nguyen said that did not  
3 matter.

4 26. Ms. Petroff was distressed. She has bills to pay. She cannot afford to simply walk  
5 away from a job she likes. Therefore, she reached out to various people at 20TVA, including Ms.  
6 Vallow, for help and clarification.

7 27. The Disney brass did not like that. On May 13, 2022, Ms. Nguyen, operating through  
8 an email signed only “Disney General Entertainment Employee Relations,” told Ms. Petroff that she  
9 could not work remotely and would be fired on June 13 if she did not get the original Covid shot.  
10 The email also accused Ms. Petroff of “reaching out to cast and crew on the production regarding  
11 this situation in a manner that might be disruptive.” Disney instructed her to not speak to anybody  
12 about the matter. This only increased Ms. Petroff’s anxiety, as Disney intended.

13 28. Although Ms. Petroff had reached out to her boss, Ms. Vallow, for help, Vallow is a  
14 pro-vaccine and anti-religion zealot. The morning Ms. Petroff received her termination notice, Ms.  
15 Vallow posted a message on Instagram: “Just sitting here having my coffee trying to figure out how  
16 mandating evangelical Protestantism as the one true American way fits in with personal freedom.”  
17 She criticized religion endlessly in her social media posts and she admonished her followers about  
18 their political views:

19 If you haven’t done it yet, one more time, there is no longer a place for any  
20 republicans or repub sympathizers in a halfway competent or decent society.  
21 Republicans are fascist filth who will take away your rights at will. They’re coming  
22 after your lesbian sister. They’re coming after your disabled daughter. They’re  
23 coming after your immigrant friends. They’re coming after your gay marriage and  
24 your mixed race marriage. Do not break bread with these motherfuckers. No  
25 Thanksgiving invites, no visits with the grandkids. Cut them out of your lives, don’t  
26 be complicit, don’t ever romanticize familial ties.

27 29. These were not isolated posts. Last fall, Ms. Vallow railed at Republican women,  
28 saying on Instagram: “White women vote for Republicans for the same reason that white men do:  
because they are racist.” And she made strong comments about the Covid-19 shots, saying: “OH MY  
FUCKING GOD, GET THE FUCKING VACCINE ALREADY, YOU FUCKING FUCKS ....” She  
added: “As for the unvaccinated: Unfriend them, don’t talk to them, don’t hire them. The woods is

1 where they live now.”

2 30. This last post referenced another social media post, by another woman, that Ms.  
3 Vallow liked. It read: “Time’s up, fuckers. We’re literally waiting on you to end this pandemic.  
4 Please kindly pull your head out of your ass, quit making this about you, and pull your god damn  
5 weight, amen. #mcsweeneys #GETVACCINATED #VACCINESSAVELIVES #covidvaccine.”

6 31. Thus, Ms. Vallow had little sympathy for Ms. Petroff’s religious beliefs. (She also  
7 knows that Ms. Petroff is a Republican and a white woman, which obviously did not help.)

8 32. Ms. Petroff told her supervisors that Disney’s actions were unlawful and that she  
9 would be contacting an attorney to protect her rights. June 13 came. Ms. Nguyen said that Disney  
10 had decided to extend Ms. Petroff’s termination date to September 6, at which point all receptionists  
11 were expected to resume working in-person and must have the original (now useless) Covid shot in  
12 their bodies. Meanwhile, Ms. Vallow repeatedly harassed Ms. Petroff, leading to intolerable working  
13 conditions.

14 33. For example, after Disney refused to accommodate her religious beliefs, Ms. Vallow  
15 and others instructed Ms. Petroff not to speak to any cast and crew regarding her situation, which  
16 isolated her and prevented her from getting support among the staff. Disney also denied Ms. Petroff  
17 a position in the Design Department, a job she could have done completely remotely. For one period,  
18 she was ordered to stop circulating flyers to 20TVA staff that were intended to boost morale,  
19 something she had done for years without any complaints. She was ordered to remove the American  
20 flag from a Memorial Day flyer because the flag could offend people. Even though they knew she  
21 was seeking legal advice to challenge Disney’s decision, Ms. Vallow and other supervisors told Ms.  
22 Petroff flat out that she was being replaced and they ordered her to train her replacement. They  
23 falsely accused her of acting unprofessionally and did not even conduct her annual review, which  
24 was supposed to occur in June. Moreover, Ms. Vallow has repeatedly treated Ms. Petroff without  
25 respect and unprofessionally, rolling her eyes at her in meetings and generally treating her with  
26 disdain. This behavior started only after Ms. Vallow learned that Ms. Petroff had not received the  
27 Covid shots.

28 34. In short, Ms. Vallow has treated Ms. Petroff exactly as she said people should treat

1 Republicans and those who have not taken the Covid shots: she thinks Ms. Petroff is a racist who is  
2 responsible for prolonging the pandemic.

3 35. This behavior has not abated. For weeks, Ms. Petroff's supervisors at 20TVA,  
4 including Ms. Vallow, prevented her from coming into the office for any reason, including to get her  
5 belongings, even though she offered to provide a negative Covid test. They eventually let her into  
6 the building but required that she do so after business hours and while being watched by a  
7 supervisor. Disney has also hired, or is trying to hire, somebody to replace Ms. Petroff, even though  
8 she still has time to comply with the vaccination policy.

9 36. These actions are unlawful. Under state and federal law, Disney has an obligation to  
10 honor sincerely held religious belief in setting conditions of employment. It has a duty to  
11 accommodate those beliefs if doing so would not create an undue hardship on the company. This is a  
12 very high standard. Courts have repeatedly held that companies cannot avoid their duty to  
13 accommodate religious beliefs by citing speculative burdens, as Disney did here.

14 37. Employers have an obligation to engage in a reasonable accommodation analysis with  
15 their employees. That includes asking whether the individual can perform the essential functions of  
16 the job. Ms. Petroff is a receptionist. She can perform the essential functions of that job. Thus, she  
17 should not have even required an accommodation.

18 38. During the pandemic, employers like Disney have tried to circumvent state and  
19 federal civil rights laws by making Covid vaccination a requirement for every job. It cannot do that.  
20 Having an injection inside one's body has no bearing on the tasks performed by a receptionist. And  
21 since the Covid shots do not prevent infection or transmission, something Disney acknowledged  
22 when it adopted its mandatory vaccination policy, Disney cannot plausibly claim that unvaccinated  
23 employees pose a direct threat to their co-workers.

24 39. Indeed, Disney's actions show that it views un-vaccinated employees as having  
25 inferior immune systems. They did not protect themselves as well as their vaccinated colleagues and  
26 thus may get sicker if they get infected. That is a perceived disability also protected against  
27 discrimination.

28 40. Ms. Petroff complied with generally applicable rules related to Covid-19. She would



1 have continued to do those things, whether testing or wearing a mask in certain settings. Instead, she  
2 got caught up in Disney’s political posturing.

3 41. This should not be a political issue. There is no need for everybody to get the Covid-  
4 19 shot, especially since, as Disney admitted, the shots do not prevent infection. Furthermore,  
5 Plaintiffs have a right to privacy and a right to bodily autonomy, the right to *choose* what they do  
6 with their bodies. Lawsuits decided a hundred years ago cannot eliminate that right. They cannot  
7 undo the progress that Californians have made in recognizing medical freedom during the past 50  
8 years.

9 42. Disney has historically been overly protective of these rights. It went to great lengths  
10 to accommodate people’s religious beliefs and medical conditions, developing reams of policies and  
11 procedures to guarantee their protection. It ignored them all this time.

12 43. Ms. Petroff brings this action to protect those rights, to prevent Disney from firing her  
13 and to seek damages for Disney’s unlawful discrimination. Ms. Petroff received a right to sue letter  
14 from the California Department of Fair and Employment and Housing and thus exhausted her  
15 administrative remedies.

16 **FIRST CAUSE OF ACTION**

17 **(Violation of Article I Section 1 of the Cal. Constitution vs. Disney)**

18 44. Ms. Petroff incorporates paragraphs 1 through 43 of this Complaint as though set  
19 forth fully herein.

20 45. Individuals have a right to privacy under the California Constitution. This state law  
21 privacy right, which was added by voters in 1972, is far broader than the right to privacy that exists  
22 under the federal Constitution. It is the broadest privacy right in America and has been interpreted by  
23 the California Supreme Court to protect both the right to bodily integrity and bodily autonomy—the  
24 right to *choose* what to do with one’s own body, free from coercion. Unlike the right to privacy that  
25 has been recognized to exist under the federal Constitution, the right to privacy embodied in  
26 California's Constitution at Article 1, Section 1 thereof, is enforceable against private actors.

27 46. Ms. Petroff has a legally protected privacy interest in her bodily autonomy, the  
28 freedom to choose, free from coercion, what to do with her body. Her expectation of privacy was

1 reasonable under the circumstances as Disney has never had a vaccination requirement for  
2 employment before now and has never disciplined, much less fired, an employee for declining an  
3 injection. The only compulsory vaccination laws adopted in California during the past century  
4 concerned certain vaccines that children need to attend school. Those laws do not undermine the  
5 expectation of privacy that adults have in their bodily autonomy.

6 47. Moreover, in 2005, the California Court of Appeal identified compulsory vaccination  
7 as the type of “invasive and highly personalized medical treatments used in cases where the state  
8 sought to override a person’s freedom to choose and where the Supreme Court has recognized a  
9 liberty interest in freedom from such unwanted medical treatment.” *Coshov v. City of Escondido*,  
10 132 Cal. App. 4th 687, 710 (2005). Although Disney is a private party, the California constitutional  
11 right to privacy applies to private parties. It is also not the only entertainment company that adopted  
12 a Covid vaccine mandate. Like many companies, Disney instituted the mandate because the federal  
13 government said it wants universal vaccination. Therefore, Disney’s mandatory vaccination policy  
14 constitutes a serious invasion of Ms. Petroff’s privacy rights.

15 48. As the California Supreme Court has explained, the “rational basis” test that courts  
16 employ when analyzing alleged violations of the United States Constitution does not apply in a state  
17 law privacy case. The California Supreme Court uses a fact-intensive balancing test to decide  
18 whether a mandate violates an individual’s state constitutional right to privacy. Moreover, while  
19 Disney may argue that its vaccine mandate serves a compelling interest in reducing the spread of  
20 Covid-19, there are feasible and effective alternatives to it that have a lesser impact on privacy  
21 interests.

22 49. Indeed, evidence shows that the vaccines do not prevent people from contracting and  
23 transmitting Covid-19. The most the Covid shots can do is, potentially, reduce the severity of Covid-  
24 19 symptoms but even that has not been scientifically proven and there are other ways to reduce the  
25 severity of Covid-19 without compelling people to get a shot they do not want. In any event, taking a  
26 shot to potentially reduce the severity of illness is a private health issue, which state and federal law  
27 prohibit employers from interfering with.

28 50. On information and belief, Disney contends that its mandatory vaccination policy

1 does not violate Ms. Petroff’s privacy rights or that the policy was justified.

2 51. Ms. Petroff desires a judicial declaration that Disney’s mandatory vaccination policy  
3 is unconstitutional because it violates her right to privacy under Article I, section 1 of the California  
4 Constitution. This is both a facial and an as-applied challenge.

5 52. A judicial determination of these issues is necessary and appropriate because such a  
6 declaration will clarify the parties’ rights and obligations, permit them to have certainty regarding  
7 those rights and potential liability, and avoid a multiplicity of actions.

8 53. As a result of Disney’s actions, Ms. Petroff has been threatened with termination and  
9 prevented from working as she normally would. She seeks preliminary and permanent injunctive  
10 relief prohibiting Disney from firing her.

11 54. This action serves the public interest, justifying an award of attorneys’ fees under  
12 section 1021.5 of the California Code of Civil Procedure.

13 **SECOND CAUSE OF ACTION**

14 **(Violation of Cal. Fair Employment and Housing Act/Failure to Accommodate vs. Disney)**

15 55. Ms. Petroff incorporates paragraphs 1 through 43 of this Complaint as though set  
16 forth fully herein.

17 56. California’s Fair Employment and Housing Act (FEHA) forbids an employer from  
18 firing someone “because of a conflict between the person’s religious belief or observance and any  
19 employment requirement, unless the employer or other entity covered by this part demonstrates that  
20 it has explored any available reasonable alternative means of accommodating the religious belief or  
21 observance . . . but is unable to reasonably accommodate the religious belief or observance without  
22 undue hardship.” Cal. Gov’t Code § 12940(l)(1).

23 57. Ms. Petroff worked for Disney. She had sincerely held religious beliefs or practices  
24 that conflicted with a stated job requirement (mandatory Covid vaccination). Disney was aware of  
25 this conflict but did not explore any available reasonable alternatives for accommodating Ms.  
26 Petroff’s beliefs and it refused to consider the accommodations she proposed, none of which would  
27 have imposed a substantial burden on Disney.

28 58. As a result of Disney’s actions, Ms. Petroff suffered damages in an amount to be

1 proven at trial. These actions were the actual and proximate cause of those damages.

2 59. Disney acted with malice or reckless indifference to Ms. Petroff’s rights, justifying an  
3 award of punitive damages.

4 60. Under the FEHA, Ms. Petroff should also recover her costs and legal fees.

5 **THIRD CAUSE OF ACTION**

6 **(Violation of Cal. Fair Employment and Housing Act/Disability Discrimination)**

7 61. Ms. Petroff incorporates paragraphs 1 through 43 of this Complaint as though set  
8 forth fully herein.

9 62. The FEHA prohibits California employers from firing someone because of an actual  
10 or perceived disability.

11 63. Ms. Petroff worked for Disney. She has a perceived physical disability (not having  
12 the best protection against Covid-19 in her body) that conflicts with a stated job requirement (the  
13 mandatory vaccination policy). Disney was aware of this conflict but did not explore any available  
14 reasonable alternatives for accommodating Ms. Petroff and it refused to consider the  
15 accommodations she proposed, none of which would have imposed a substantial burden on Disney.  
16 Disney said it will terminate Ms. Petroff’s employment on September 6 because of this perceived  
17 disability.

18 64. As a result of Disney’s actions, Ms. Petroff suffered damages in an amount to be  
19 proven at trial. These actions were the actual and proximate cause of those damages.

20 65. Disney acted with malice or reckless indifference to Ms. Petroff’s rights, justifying an  
21 award of punitive damages.

22 66. Under the FEHA, Ms. Petroff should recover her costs and legal fees.

23 **FOURTH CAUSE OF ACTION**

24 **(Violation of Cal. Fair Employment and Housing Act/Retaliation vs. Disney)**

25 67. Ms. Petroff incorporates paragraphs 1 through 43 of this Complaint as though set  
26 forth fully herein.

27 68. State law prohibits discrimination on the basis of race, color, sex, national origin,  
28 religion, age, disability and genetic information. An individual engages in protected activity when he

1 or she speaks out about, or exercises rights related to, workplace discrimination.

2 69. Ms. Petroff was engaged in protected activity when she asserted a religious  
3 exemption to Disney’s mandatory vaccination policy.

4 70. Disney retaliated against Ms. Petroff for engaging in this protected activity, as alleged  
5 above. The retaliatory acts included, but are not limited to, refusing to participate in a good-faith  
6 dialogue to accommodate her religious beliefs and denying her privileges of employment while it  
7 seeks to fire her for being unvaccinated.

8 71. As a result of Disney’s actions, Ms. Petroff suffered damages in an amount to be  
9 proven at trial. These actions were the actual and proximate cause of those damages.

10 72. Disney acted with malice or reckless indifference to Ms. Petroff’s rights, justifying an  
11 award of punitive damages.

12 73. Under the FEHA, Ms. Petroff should recover her costs and legal fees.

13 **FIFTH CAUSE OF ACTION**

14 **(Harassment vs. All Defendants)**

15 74. Ms. Petroff incorporates paragraphs 1 through 43 of this Complaint as though set  
16 forth fully herein.

17 75. Ms. Petroff worked for Disney. She has a condition—not being vaccinated against  
18 Covid-19 due to her religious beliefs—that is protected from discrimination by state and federal law.

19 76. Ms. Petroff was subjected to harassing conduct by Ms. Vallow, her supervisor at  
20 20TVA, as alleged above and based on her protected status.

21 77. This harassing conduct was severe and pervasive.

22 78. A reasonable person in Ms. Petroff’s position would have considered the work  
23 environment at 20TVA to be hostile, intimidating, offensive, oppressive, or abusive.

24 79. Ms. Petroff considered the work environment to be hostile, intimidating, offensive,  
25 oppressive, or abusive and she suffered harm as a result of it.

26 80. As a result of Ms. Vallow’s actions, Ms. Petroff suffered damages in an amount to be  
27 proven at trial. These actions were the actual and proximate cause of those damages.

28 81. Ms. Vallow acted within the course and scope of her employment, and with the

1 knowledge and approval of her superiors at Disney, when engaging in the actions alleged above. In  
2 the alternative, Disney executives knew or should have known about Ms. Vallow’s actions and failed  
3 to take immediate and appropriate corrective action. Therefore, Disney should be held liable for Ms.  
4 Vallow’s actions.

5 82. Under the FEHA, Ms. Petroff should recover her costs and legal fees.

6 **SIXTH CAUSE OF ACTION**

7 **(Wrongful Termination vs. Disney)**

8 83. Ms. Petroff incorporates paragraphs 1 through 43 of this Complaint as though set  
9 forth fully herein.

10 84. Disney is trying to fire Ms. Petroff for asserting her constitutional and statutory  
11 rights, including her right to religious freedom and bodily autonomy.

12 85. The assertion of these rights was a substantial motivating reason for Disney’s actions,  
13 as alleged above, and thus constituted wrongful termination, in violation of public policy.

14 86. As a result of Disney’s actions, Ms. Petroff suffered damages in an amount to be  
15 proven at trial. These actions were the actual and proximate cause of those damages.

16 87. Disney acted with malice or reckless indifference to Ms. Petroff’s rights, justifying an  
17 award of punitive damages.

18 88. This action serves the public interest, justifying an award of attorneys' fees under  
19 section 1021.5 of the California Code of Civil Procedure.

20 **PRAYER FOR RELIEF**

21 Wherefore, Ms. Petroff prays for relief as follows:

- 22 1. For an order declaring Disney’s Covid-19 mandatory vaccination policy  
23 unconstitutional under Article I, section 1, of the California Constitution and enjoining its further  
24 enforcement;
- 25 2. For preliminary and permanent injunctive relief prohibiting Disney from firing Ms.  
26 Petroff;
- 27 3. For compensatory damages in an amount to be proven at trial;
- 28 4. For punitive damages in an amount to be proven at trial;

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5. For costs and attorneys' fees under section 1021.5 of the California Code of Civil Procedure and the FEHA; and

6. For such other relief that the Court determines is just and proper.

Dated: August 24, 2022

JW HOWARD/ ATTORNEYS, LTD.

By:



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John W. Howard  
Scott J. Street  
Attorneys for Plaintiff PAMELA PETROFF

**JURY TRIAL DEMAND**

Ms. Petroff demands a trial by jury on all claims for which it is available.

Dated: August 24, 2022

JW HOWARD/ ATTORNEYS, LTD.

By:



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John W. Howard  
Scott J. Street  
Attorneys for Plaintiff PAMELA PETROFF