

1 DAVID S. RATNER (SBN 316267)  
2 SHELLEY A. MOLINEAUX (SBN 277884)  
3 RATNER MOLINEAUX, LLP  
4 1990 N. California Blvd., Suite 20  
5 Walnut Creek, CA 94596  
6 Tel: (925) 239-0899  
7 david@ratnermolineaux.com  
8 shelley@ratnermolineaux.com

9 Attorneys for Plaintiff  
10 DENNIS QUINTELA

ELECTRONICALLY  
**FILED**  
Superior Court of California,  
County of San Francisco

**04/28/2023**  
Clerk of the Court  
BY: JEFFREY FLORES  
Deputy Clerk

11 **IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
12 **COUNTY OF SAN FRANCISCO**

**CGC-23-606186**

13 DENNIS QUINTELA, individually,

Case No.

14 Plaintiff,

**COMPLAINT FOR DAMAGES**

15 v.

16 SNAP, INC., a California corporation; and DOES 1  
17 through 50, inclusive.

1. Retaliation, Cal. Gov't Code §12940(h)
2. Hostile Work Environment Harassment, Cal. Gov. Code § 12940(j)
3. Racial Discrimination, Cal. Gov. Code § 12940
4. Failure to Prevent Discrimination and Harassment, Cal. Gov. Code § 12940
5. Wrongful Termination in Violation of Public Policy

18 Defendants.

**DEMAND FOR JURY TRIAL**

19 1. Plaintiff DENNIS QUINTELA (“Quintela”), individually, brings this action against  
20 Defendants SNAP, INC., (“Snap”), a California corporation, and DOES 1 through 50, inclusive.

***PARTIES***

21 2. Plaintiff is, and at all times relevant to this action was, a resident initially of San  
22 Francisco, California then relocated to Beverly Hills, California. The events giving rise to this action  
23 arose in Los Angeles, California and San Francisco, California.

24 3. Plaintiff is informed and believes, and based thereon alleges, that Defendant Snap, Inc. is a  
25 California corporation and is authorized to do business in California.

26 4. Plaintiff does not know the true names of Defendants Does 1 through 50, inclusive, and  
27  
28

1 therefore sues them by those fictitious names. The names, capacities, and relationships of Defendants Does  
2 1 through 50, inclusive, will be alleged by amendment to this Complaint when the same are known to  
3 Plaintiff.

4 5. The true names and capacities, whether individual, corporate, associate or otherwise, of  
5 defendants Does 1 through 50 (“Does”), inclusive and each of them, are not known to Plaintiff at this time.  
6 Such Does are legally responsible for the events and happenings described herein and for the damages  
7 proximately caused thereby. Plaintiff will seek the leave of the Court to amend this complaint to set forth  
8 the true names and capacities of any such Does when they have been ascertained.

9 6. On information and belief, at all times mentioned herein, defendants, inclusive and each of  
10 them, including without limitation any Does, were acting in concert and participation with each other; were  
11 joint participants and collaborators in the acts complained of; and were the agents and/or employees of one  
12 another in doing the acts complained of herein, each acting within the course and scope of said agency  
13 and/or employment.

14 7. Snap, Inc., and Does 1 through 50, inclusive, are collectively referred to hereafter as  
15 “Defendants”.

#### 16 ***JURISDICTION AND VENUE***

17 8. This Court has jurisdiction over Defendant Snap, Inc. because at all times relevant, Snap  
18 was authorized to transact, and is transacting business in California.

19 9. Venue is proper in this Court pursuant to Code of Civil Procedure § 395, because the acts,  
20 events and omissions complained of herein occurred in San Francisco County, California.

#### 21 ***EXHAUSTION OF ADMINISTRATIVE REMEDIES***

22 10. On or about December 1, 2022, Plaintiff obtained a Right to Sue Letter from the  
23 California Civil Rights Department. The letter is attached hereto as Exhibit A.

#### 24 ***GENERAL ALLEGATIONS***

25 11. Plaintiff Dennis Quintela is a 42-year-old Latino male, who began working for Snap in  
26 October 2016 as a Senior Engineering Manager. He continued to work for Snap until Snap wrongfully  
27 fired him on August 31, 2022.

28 12. Snap characterized Mr. Quintela as a strong performer with no negative performance

1 reviews. On March 1, 2021, Snap promoted Plaintiff to a Senior Manager position.

2 13. On April 1, 2021, Mr. Quintela began discussions to join Brent Mills' Memories  
3 organization within Snap. Mr. Quintela was going to replace Paul Ohlhaut who was set to retire about  
4 twelve to eighteen months in the future. Mr. Quintela intended to assume the leadership of the Memories  
5 organization as Mr. Ohlhaut's replacement.

6 14. Approximately two months later, Chad DePue learned of Mr. Quintela's intent to leave the  
7 Messaging team to transfer to the Memories team. DePue and Jerry Hunter, a SVP, forced Plaintiff to  
8 stay on the Messaging team until the end of August 2021. Transitions such as Quintela's usually take  
9 place in less than 30 days; his took nearly 3 months. Mr. DePue tried to interfere with Plaintiff's transfer  
10 because he did not want the Memories team headed by a Latino.

11 15. On August 17, 2021, Mr. DePue contacted Mr. Quintela. DePue informed Plaintiff that  
12 Snap reorganized Memorie under under DePue and that Mr. Quintela will continue to report to DePue  
13 once Quintela switched teams. Mr. Quintela had been under the impression that this position was to be  
14 his upon moving to the Memories team, however Snap chose to discriminate against Mr. Quintela based  
15 on his race and placed a non-Latino the leader of the Memories team.

16 16. On August 30, 2021, Mr. Quintela moved from the Messaging team to the Memories  
17 team.

18 17. Upon Mr. Ohlhaut's departure from Snap in March 2022, Mr. Quintela reported to  
19 Anirudh Todi. On March 24, 2022, Mr. Todi delivered Mr. Quintela's performance review and informed  
20 him that he is now to report to Sam Khavari who is backfilling Mr. Ohlhaut's role, which was previously  
21 promised to Plaintiff. Four days later, it was announced that Mr. Khavari was the new manager for  
22 Memories. Again, Defendants chose to discriminate Mr. Quintela based on his race, placing a non-Latino  
23 as leader of the Memories team despite that position being previously promised to Mr. Quintela.  
24 Defendants chose to remove opportunities from Mr. Quintela although he had proven capable of  
25 obtaining such opportunities. Instead, Snap chose to promote less qualified non-Latino employees to a  
26 position that Plaintiff should have received.

27 18. On March 29, 2022, Mr. Quintela met with David Boyle, Director Product, and discussed  
28 why Snap gave Mr. Khavari the manager role for Memories. Mr. Boyle informed Mr. Quintela that Mr.

1 Khavari didn't have a role after a reorganization, and he had resigned. To retain Mr. Khavari, Nima  
2 Khajehnouri offered him the role on the Memories team. As a known fact, both Mr. Khavari and Mr.  
3 Khajehnouri are Iranian, Mr. Quintela is Latino, Mr. Khavari is less tenured than Mr. Quintela, Mr.  
4 Quintela was promised the role of leadership of the Memories team, and thus Defendant allowed an  
5 environment of discrimination to occur.

6 19. On March 30, 2022, Arun Dobriyal was misinformed that Mr. Quintela was leaving and  
7 had a phone call with Mr. Quintela to discuss joining the Memories team and take over after Mr.  
8 Quintela's "departure". However, Mr. Quintela had no intension of leaving or departing the Memories  
9 team. Defendants allowed false rumors about Mr. Quintela to exist in the workplace.

10 20. On April 5, 2022, Mr. Khavari met with Mr. Quintela and apologized for rough  
11 beginnings. He commented that they should have assumed he would be staying with the team and should  
12 not have told Mr. Dobriyal that his position was available.

13 21. On April 6, 2022, Mr. Quintela met with Brittany Fletcher, to complain about the  
14 discrimination he experienced as a result of Snap's decision not to promote him to the manager position.;

15 22. Two days later, Mr. Quintela also met with Lisa Duron with the same concerns, including  
16 concerns that the company does not follow proper HR hiring processes. Ms. Duron noted that his  
17 personnel file is light and was missing performance reviews. She explained she would follow up with  
18 Mr. Khajehnouri and Mr. Khavari.

19 23. On April 11, 2022, Mr. Quintela met with Mr. Khajehnouri to discuss Mr. Khavari and the  
20 new team structure. Mr. Khajehnouri explained that Mr. Ohlhaut did not take Memories to the next level  
21 and that they "wanted to bring fresh perspective to have a new view on consumer facing product and that  
22 Sam (Mr. Khavari) had a good eye for that". However, he did not elaborate on Mr. Khavari's skills to do  
23 the job. He apologized for Mr. Quintela getting caught up in Mr. Ohlhaut's mess.

24 24. As a follow up to Mr. Quintela's complaint, on April 18, 2022, Ms. Fletcher concluded  
25 that no discrimination had occurred, that they can put anyone in the role as they see fit, and no process  
26 was broken. However, she did not conduct a formal investigation, no employees were interviewed, and  
27 no documentation was requested.

28 25. On May 13, 2022, Jerry Li left the Memories team. Three days later, Arun Dobriyal joined

1 the Memories team as Mr. Li's backfill. Once again, the company did not operate within a formal hiring  
2 process for his candidate. Neither Mr. Quintela nor his peers were asked to interview him, and they were  
3 not made aware of any other candidates, eliminating the broader hiring process once again.

4 26. In July 2022, Mr. Quintela was given permission to relocate to Los Angeles.

5 27. Mr. Quintela moved on August 8, 2022.

6 28. On August 15, 2022, Mr. Quintela emailed Jerry Hunger and Mr. Khajehnouri to  
7 volunteer his services for any code red emergency projects in Monetization. They both assured Mr.  
8 Quintela that what he is doing on Memories reducing costs is just as important, if not more, than those in  
9 Monetization. They asked him to continue to invest in Memories operational cost savings.

10 29. That same day, August 15, 2022, Mr. Dobriyal left Snap. Mr. Khavari emailed recruiting  
11 and HR to see if a new external hire can be put on the books and marked as started, but not to show up on  
12 the books until weeks later. HR said, "no".

13 30. On August 19, 2022, Mr. Khavari called another coworker, Zhihao, while he was out on  
14 paternity leave and asked him to come back to work early – a violation of Mr. Zhilao's protected leave.

15 31. On August 31, 2022, Snap fired Mr. Quintela, purportedly because Snap eliminated  
16 Plaintiff's position.

17 32. However, this purported reason does not hold up to scrutiny because Snap offered the  
18 position to another individual. Accordingly, Snap did not eliminate Plaintiff's position. Rather the excuse  
19 is pretext for the real reason – retaliation against Mr. Quintela for complaining about discrimination and  
20 discrimination against Mr. Quintela because of his race.

21 33. On October 31, 2022, Ethan Yang joined Snap as an Engineering Manager for the  
22 Memories team demonstrating the falsity of Snap's claim that it eliminated Plaintiff's position.

23 34. Respondents discriminated against Mr. Quintela on the basis of his race in violation of  
24 Cal. Gov. Code § 12940. Respondents retaliated against Mr. Quintela on the basis of his race and for  
25 complaining about the discrimination, a protected activity, in violation of the above-referenced statute.  
26 Respondents fired Mr. Quintela in violation of public policy. Respondents are also liable for negligent  
27 and intentional infliction of emotional distress.

28 35. The previously described activities have caused Mr. Quintela severe emotional distress.

1 Mr. Quintela describes that he often gets upset, feels belittled, hurt, demoralized, depressed, stressed and  
2 helpless. Mr. Quintela experiences nightmares which has led to lack of sleep and eating more out of  
3 stress and causing severe physical ramifications.

4 36. Defendants continuously failed to support Plaintiff in his efforts to assume leadership and  
5 management of the Memories organization. Defendants did not withhold placement and management  
6 positions to Plaintiff's similarly situated non-Latino coworkers.

7 37. Plaintiffs similarly situated non-Latino co-workers were given the opportunities to take new  
8 positions and upgrade to management positions without interference by Defendants.

9 38. Defendant Snap failed to try to root out the cause of their behavior. Defendants failed to  
10 address their discriminatory behavior toward Plaintiff and instead insisted there was no discrimination  
11 without any follow up or formal documentation.

12 39. Defendant discriminated against Plaintiff because he is Latino.

13 40. Defendant retaliated against and, ultimately, terminated Plaintiff after Plaintiff complained  
14 about Defendants discriminatory treatment.

15 41. Defendant disregarded Plaintiff's concerns regarding the discrimination he was  
16 experiencing.

17 42. Defendant fired Plaintiff in retaliation for his complaint of illegal treatment based on race  
18 and based on the reporting of discrimination, a protected activity.

19 43. As of result of Defendant's actions, Plaintiff suffered emotionally and psychologically from  
20 the discrimination and harassment he experienced by Defendants. As a result of the hostile work  
21 environment and discrimination, Plaintiff has suffered embarrassment, humiliation, mental and emotional  
22 pain and distress and discomfort.

23 44. If Plaintiff were not Latino, he would not have been subjected to the same discriminatory  
24 treatment he was forced to endure by Defendants.

25 ***FIRST CAUSE OF ACTION***

26 *Retaliation*

27 *Cal. Gov't Code §12940(h)*

28 *(On behalf of Plaintiff against All Defendants and DOES 1-50)*

1 45. Plaintiff re-pleads, re-alleges, and incorporates by reference each and every allegation set  
2 forth in this Complaint.

3 46. At all relevant times, the California Fair Employment & Housing Act, sections 12940, et  
4 seq., was in full force and effect, and binding on Defendants.

5 47. FEHA makes it an unlawful employment practice for an employer to retaliate against an  
6 employee who has opposed a forbidden practice or filed a complaint against an employer or supervisor.  
7 CGC §12940(h).

8 48. Government Code section 12940(h) provides in relevant part:

9  
10 It is an unlawful employment practice . . . (h) For any employer, labor  
11 organization, employment agency, or person to discharge, expel, or  
12 toherwise discriminate against any person because the person has opposed  
any practices forbidden under this part or because the person has filed a  
complaint, testified, or assisted in any proceeding under this part.

13 49. Defendants were Plaintiff's employer, and Plaintiff was Defendants' employee.

14 50. Plaintiff made multiple complaints to Defendants about racially charged discriminatory  
15 treatment.

16 51. Defendants retaliated against Plaintiff by terminating Plaintiff's employment.

17 52. Plaintiff was harmed.

18 53. Defendants' conduct was a substantial factor in causing Plaintiff's harm.

19 54. The conduct of Defendants and each of them as described above was malicious,  
20 fraudulent, or oppressive and done with a willful and conscious disregard for Plaintiff's rights.  
21 Defendants and each of them, and their agents/employees or supervisors, authorized, condoned, and  
22 ratified the unlawful conduct of each other. Consequently, Plaintiff is entitled to punitive damages  
23 against each of said Defendants.

24 ***SECOND CAUSE OF ACTION***

25 *Hositle Work Environment Harassment*

26 *Cal. Gov. Code § 12940(j)*

27 *(On behalf of Plaintiff against All Defendants and DOES 1-50)*





1 or to discriminate against the person in compensation or in terms,  
2 conditions, or privileges of employment.

3 65. Plaintiff was Defendant's employee and Defendants were Plaintiff's employer.

4 66. Defendant wrongfully discriminated against Plaintiff based on his race/color.

5 67. Plaintiff, is Latino and was an employee of Defendant, faced discrimination based on his  
6 race and a hostile work environment during his time as an employee of Defendant.

7 68. Despite being aware of the discriminatory treatment of Plaintiff, Defendants failed to take  
8 any steps to prevent or correct the unfair treatment.

9 69. Defendant ultimately terminated Plaintiff's employment.

10 70. Plaintiff believes and alleges that Plaintiff's race/color were a substantial and determining  
11 factor in Defendant's decision to terminate Plaintiff's employment.

12 71. Defendant's termination of Plaintiff as alleged in this complaint constitutes an unlawful  
13 employment practice in violation of Cal. Gov. Code § 12940(a).

14 72. As a direct, foreseeable, and proximate result of Defendant's discriminatory acts, Plaintiff  
15 has suffered and continues to suffer substantial losses in earnings and job benefits, and has suffered and  
16 continues to suffer humiliation, embarrassment, mental and emotional distress, and discomfort, all to  
17 Plaintiff's damage in an amount to be proven at trial.

18 73. The conduct of Defendant and each of them as described above was malicious, fraudulent,  
19 or oppressive and done with a willful and conscious disregard for Plaintiff's rights. Defendants and each  
20 of them, and their agents/employees or supervisors, authorized, condoned, and ratified the unlawful  
21 conduct of each other. Consequently, Plaintiff is entitled to punitive damages against each of said  
22 Defendants.

23 ***FOURTH CAUSE OF ACTION***

24 *Failure to Prevent Discrimination and Harassment*

25 *Cal. Lab. Code § 12940*

26 *(On behalf of Plaintiff against All Defendants and DOES 1-50)*

27 74. Plaintiff re-pleads, re-alleges, and incorporates by reference each and every allegation set  
28 forth in this Complaint.

1 75. Government Code section 12940(m)(2) provides in relevant part:

2 It is an unlawful employment practice . . . (k) For an employer . . . to fail to  
3 take all reasonable steps necessary to prevent discrimination and harassment  
4 from occurring.

5 76. Defendant wrongfully failed to take all reasonable steps necessary to prevent harassment  
6 and discrimination of Plaintiff based on his race/color.

7 77. Plaintiff suffered and continues to suffer harm as a result of Plaintiff's discharge by  
8 Defendants.

9 78. Defendants' conduct was a substantial factor in causing Plaintiff's harm.

10 79. Under Government Code section 12940, Plaintiff is entitled to recover Plaintiff's economic  
11 and noneconomic damages caused by Defendants' unlawful practices. Plaintiff is also entitled to  
12 reasonable attorney's fees and costs pursuant to Government Code section 12965.

13 80. The conduct of Defendants and each of them as described above was malicious, fraudulent,  
14 or oppressive and done with a willful and conscious disregard for Plaintiff's rights. Defendants and each  
15 of them, and their agents/employees or supervisors, authorized, condoned, and ratified the unlawful  
16 conduct of each other. Consequently, Plaintiff is entitled to punitive damages against each of said  
17 Defendants.

18 ***FIFTH CAUSE OF ACTION***

19 *Wrongful Termination in Violation of Public Policy*

20 *(On behalf of Plaintiff against All Defendants and DOES 1-50)*

21 81. Plaintiff re-pleads, re-alleges, and incorporates by reference each and every allegation set  
22 forth in this Complaint.

23 82. Art. I, § 8, of the California Constitution provides that a person may not be disqualified  
24 from pursuing a profession or employment because of race.

25 83. At all times herein mentioned in this complaint, California Government Code Section 12940  
26 (a), was in full force and effect and were binding on the Defendants and the Defendants were subject to  
27 their terms, and therefore Defendant was required to refrain from violations of public policy, including  
28 discrimination based on age, gender and disability in violation of FEHA and in retaliation for complaining

1 of said discrimination.

2 84. Defendants were Plaintiff's employer, and Plaintiff was Defendants' employee.

3 85. Defendant terminated Plaintiff in violation of Plaintiff's rights and public policy.

4 86. Plaintiff is informed and believes and thereon alleges that his protected status (race/color)  
5 and/or his protestation against being discriminated against based on said protected status as alleged above,  
6 were, in part, factors in Defendants' decision to terminate Plaintiff's employment.

7 87. Plaintiff was harmed.

8 88. Defendants' conduct was a substantial factor in causing Plaintiff's harm.

9 89. As a proximate result of Defendants' conduct, Plaintiff has suffered special damages in the  
10 form of lost earnings, benefits and/or out of pocket expenses in an amount according to proof at the time  
11 of trial. As a further direct and proximate result of Defendants' conduct, Plaintiff will suffer additional  
12 special damages in the form of lost future earnings, benefits and/or other prospective damages in an  
13 amount according to proof at the time of trial.

14 90. As a further direct and proximate result of Defendants' conduct, Plaintiff has suffered loss  
15 of financial stability, peace of mind and future security, and has suffered embarrassment, humiliation,  
16 mental and emotional pain and distress and discomfort, all to his detriment and damage in amounts not  
17 fully ascertained but within the jurisdiction of this court and subject to proof at the time of trial.

18 91. In violation of public policy, Defendants terminated Plaintiff because he is a Latino male,  
19 despite the fact that Defendants knew that Plaintiff was experienced and able to perform the essential  
20 functions of his position and had done so since 2016.

21 The conduct of Defendants as described above was malicious, fraudulent, or oppressive and done  
22 with a willful and conscious disregard for Plaintiff's rights. Defendant and each of them, and their  
23 agents/employees or supervisors, authorized, condoned and ratified the unlawful conduct of each other.  
24 Consequently, Plaintiff is entitled to punitive damages against each of said Defendants.

25 **PRAYER FOR RELIEF**

26 **WHEREFORE**, Plaintiff prays for judgment against the Defendants, and each of them, as  
27 follows:

28 1. Compensatory damages including emotional distress damages and lost wages, benefits

- 1 and interest in a sum according to proof;
- 2 2. Interest on judgment, including prejudgment interest, at the legal rate;
- 3 3. Punitive damages in a sum according to proof;
- 4 4. Attorney's fees and costs; and
- 5 5. For any further legal and equitable relief, the Court deems proper.

6  
7 Dated: April 28, 2023.

**RATNER MOLINEAUX, LLP**

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11 David S. Ratner  
12 Shelley A. Molineaux  
13 *Attorneys for Plaintiff Dennis Quintela*

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# **EXHIBIT A**



## Civil Rights Department

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711  
calcivilrights.ca.gov | contact.center@dfeh.ca.gov

December 1, 2022

Shelley Molineaux  
1990 N. California Blvd, St 20  
Walnut Creek, CA 94598

**RE: Notice to Complainant's Attorney**  
CRD Matter Number: 202212-19028201  
Right to Sue: Quintela / Snap Inc.

Dear Shelley Molineaux:

Attached is a copy of your complaint of discrimination filed with the Civil Rights Department (CRD) pursuant to the California Fair Employment and Housing Act, Government Code section 12900 et seq. Also attached is a copy of your Notice of Case Closure and Right to Sue.

**Pursuant to Government Code section 12962, CRD will not serve these documents on the employer.** You must serve the complaint separately, to all named respondents. Please refer to the attached Notice of Case Closure and Right to Sue for information regarding filing a private lawsuit in the State of California. A courtesy "Notice of Filing of Discrimination Complaint" is attached for your convenience.

Be advised that the CRD does not review or edit the complaint form to ensure that it meets procedural or statutory requirements.

Sincerely,

Civil Rights Department



## Civil Rights Department

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800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711  
calcivilrights.ca.gov | contact.center@dfeh.ca.gov

December 1, 2022

**RE: Notice of Filing of Discrimination Complaint**  
CRD Matter Number: 202212-19028201  
Right to Sue: Quintela / Snap Inc.

To All Respondent(s):

Enclosed is a copy of a complaint of discrimination that has been filed with the Civil Rights Department (CRD) in accordance with Government Code section 12960. This constitutes service of the complaint pursuant to Government Code section 12962. The complainant has requested an authorization to file a lawsuit. A copy of the Notice of Case Closure and Right to Sue is enclosed for your records.

This matter may qualify for CRD's Small Employer Family Leave Mediation Pilot Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Government Code section 12945.2, has the right to participate in CRD's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in CRD's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. You may contact CRD's Small Employer Family Leave Mediation Pilot Program by emailing [DRDOnlineRequests@dfeh.ca.gov](mailto:DRDOnlineRequests@dfeh.ca.gov) and include the CRD matter number indicated on the Right to Sue notice.

Please refer to the attached complaint for a list of all respondent(s) and their contact information.

No response to CRD is requested or required.

Sincerely,



## Civil Rights Department

KEVIN KISH, DIRECTOR

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711  
[calcivilrights.ca.gov](http://calcivilrights.ca.gov) | [contact.center@dfeh.ca.gov](mailto:contact.center@dfeh.ca.gov)

## Civil Rights Department





## Civil Rights Department

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calcivilrights.ca.gov | contact.center@dfeh.ca.gov

December 1, 2022

[REDACTED]

**RE: Notice of Case Closure and Right to Sue**  
CRD Matter Number: 202212-19028201  
Right to Sue: Quintela / Snap Inc.

Dear Dennis Quintela:

This letter informs you that the above-referenced complaint filed with the Civil Rights Department (CRD) has been closed effective December 1, 2022 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.

This matter may qualify for CRD's Small Employer Family Leave Mediation Pilot Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Government Code section 12945.2, has the right to participate in CRD's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in CRD's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. Contact CRD's Small Employer Family Leave Mediation Pilot Program by emailing



## Civil Rights Department

KEVIN KISH, DIRECTOR

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800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711  
calcivilrights.ca.gov | contact.center@dfeh.ca.gov

DRDOnlineRequests@dfeh.ca.gov and include the CRD matter number indicated on the Right to Sue notice.

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

1 **COMPLAINT OF EMPLOYMENT DISCRIMINATION**  
2 **BEFORE THE STATE OF CALIFORNIA**  
3 **Civil Rights Department**  
4 **Under the California Fair Employment and Housing Act**  
5 **(Gov. Code, § 12900 et seq.)**

6 **In the Matter of the Complaint of**

7 Dennis Quintela

CRD No. 202212-19028201

8 Complainant,

9 vs.

10 Snap Inc.  
11 2850 Ocean Park Blvd.  
12 Santa Monica, CA 90405

13 Respondents

14  
15 **1. Respondent Snap Inc. is an employer subject to suit under the California Fair Employment and Housing Act (FEHA) (Gov. Code, § 12900 et seq.).**

16  
17 **2. Complainant Dennis Quintela, resides in the City of Beverly Hills, State of CA.**

18  
19 **3. Complainant alleges that on or about August 31, 2022, respondent took the following adverse actions:**

20 **Complainant was harassed** because of complainant's race, national origin (includes language restrictions), age (40 and over).

21 **Complainant was discriminated against** because of complainant's race, national origin (includes language restrictions), age (40 and over) and as a result of the discrimination was terminated, laid off, denied hire or promotion, denied work opportunities or assignments.

22 **Complainant experienced retaliation** because complainant reported or resisted any form of discrimination or harassment and as a result was terminated, laid off, denied hire or promotion, denied work opportunities or assignments.

23  
24 **Additional Complaint Details:** Dennis Quintela is a 42-year-old Latino male, who began working for Snap, Inc. in October 2016 as a Senior Engineering Manager.

25 -1-

26 *Complaint – CRD No. 202212-19028201*

27 Date Filed: December 1, 2022

1 At all times relevant in the past five years, Mr. Quintela has had no negative performance  
2 reviews and was always listed as a strong performer. He was promoted on March 1, 2021,  
3 to the Senior Manager position.

4 Beginning April 1, 2021, Mr. Quintela began discussions to join Brent Mills organization. It  
5 was the intent for Paul Ohlhaut to retire in 12-18 months and Mr. Quintela would assume the  
6 leadership of the Memories organization in Paul's replacement. Approximately two months  
7 later, Chad DePue learns of Mr. Quintela's intent to leave the Messaging team and proceeds  
8 to retaliate, escalating to Jerry Hunter, SVP Eng, forcing him to stay on the team until the  
9 end of August, although transitions usually take place in less than 30 days, his took nearly 3  
10 months.

11 On August 17, 2021, Mr. DePue contacts Mr. Quintela to inform him that Memories is being  
12 re-organized under him and that he will continue to report to him once he switches teams.

13 On August 30, 2021, Mr. Quintela moved from the Messaging team to the Memories team.

14 Upon Mr. Ohlhaut's departure from Snap in March 2022, Mr. Quintela was to report to  
15 Anirudh Todi. On March 24, 2022, Mr. Todi delivered Mr. Quintela's performance review and  
16 informed him that he is now to report to Sam Khavari who is backfilling Paul's role, which  
17 was previously promised to him. Four days later, it is announced that Mr. Khavari is the new  
18 manager for Memories.

19 On March 29, 2022, Mr. Quintela met with David Boyle, Director Product, to discuss how Mr.  
20 Khavari got the manager role for Memories. Mr. Boyle informed Mr. Quintela that Mr.  
21 Khavari didn't have a role after a reorganization, and he had tendered his resignation. To  
22 retain Mr. Khavari, Nima Khajehpour offered him the role on the Memories team.

23 On March 30, 2022, Arun Dobriyal was informed that Mr. Quintela was leaving and had a  
24 phone call with him to discuss joining the Memories team and take over after his departure.

25 On April 5, 2022, Mr. Khavari meets with Mr. Quintela and apologizes for rough beginnings.  
26 He comments that they should have assumed he would be staying with the team and not  
27 have told Mr. Dobriyal that his position was available.

28 On April 6, 2022, Mr. Quintela met with Brittany Fletcher, HRBP, to discuss being passed  
over for the manager role, discrimination concerns, and breach of process. Mr. Quintela felt  
as though the role was never shared with him, nor that there would be backfill. He was not  
given the opportunity to apply or discuss the role. He was already performing the duty of the  
job and Mr. Khavari was less tenured than him. Mr. Quintela felt discriminated against due to  
being Latino while both Mr. Khavari and Mr. Khajehpour are both Iranian. He asked her to  
formally document the complaint. Two days later, Mr. Quintela also met with Lisa Duron with  
the same concerns, including concerns that the company does not follow proper HR hiring  
processes. Ms. Duron noted that his personnel file is light and missing performance reviews.  
She explained she would follow up with Mr. Khajehpour and Mr. Khavari.

1 On April 11, 2022, Mr. Quintela met with Mr. Khajehnouri to discuss Mr. Khavari and the  
2 new team structure. Mr. Khajehnouri explains that Mr. Ohlhaut didn't take Memories to the  
3 next lever and that they "wanted to bring fresh perspective to have a new view on consumer  
4 facing product and that Sam had a good eye for that". However, he did not elaborate on Mr.  
5 Khavari's skills to do the job. He apologized for Mr. Quintela getting caught up in Mr.  
6 Ohlhaut's mess.

7 As a follow up to Mr. Quintela's complaint, On April 18, 2022, Ms. Fletcher concludes that  
8 there was no discrimination, that they can put anyone in the role as they see fit, and no  
9 process was broken. However, she did not conduct a formal investigation, no employees  
10 were interviewed, no documentation requested, etc.

11 On May 13, 2022, Jerry Li leaves the Memories team. Three days later, Arun Dobriyal joins  
12 the Memories team as Mr. Li's backfill. Once again, the company did not operate within a  
13 formal hiring process for his candidate. Neither Mr. Quintela nor his peers were asked to  
14 interview him, and they were not made aware of any other candidates, eliminating the  
15 broader hiring process once again.

16 In July 2022, Mr. Quintela was given permission to be relocated to Los Angeles. He moved on  
17 August 8, 2022. On August 15, 2022, Mr. Quintela emailed Jerry Hunger and Mr.  
18 Khajehnouri to volunteer his services for and code red emergency projects in Monetization.  
19 They both assure Mr. Quintela that what he is doing on Memories reducing costs is just as  
20 important, if not more, than those in Monetization. They ask him to continue to invest in  
21 Memories operational cost savings.

22 That same day, August 15, 2022, Mr. Dobriyal leaves Snap. Mr. Khavari emails recruiting  
23 and HR to see if a new external hire can be put on the books and marked as started, but  
24 not to show up on the books until weeks later. This is another HR violation and Mr. Khavari  
25 is told he cannot do that.

26 On August 19, 2022, Mr. Khavari called Zhihao while he is out on paternity leave and asks  
27 him to come back to work early. Again, violating paternity leave procedures.

28 On August 31, 2022, Mr. Quintela was laid off, however the intention seemed to be  
termination. Mr. Khavari and Ms. Fletcher laid him off but informed him that his position has  
been eliminated. Mr. Quintela's team was informed by Mr. Khavari the day of Mr. Quintela's  
departure that the company had an offer going out for another manager to join. Later, on  
October 31, 2022, Ethan Yang joins as Engineering Manager for the Memories team.

Respondents discriminated against Mr. Quintela on the basis of his race in violation of Cal.  
Gov. Code § 12940. Respondents harassed and retaliated against Mr. Quintela on the basis  
of his race and for complaining about the discrimination, a protected activity, in violation of  
the above-referenced statute. Respondents fired Mr. Quintela in violation of public policy.  
Respondents are also liable for negligent and intentional infliction of emotional distress.

1 VERIFICATION

2 I, **Shelley Molineaux**, am the **Attorney** in the above-entitled complaint. I have read  
3 the foregoing complaint and know the contents thereof. The matters alleged are  
4 based on information and belief, which I believe to be true.

5 On December 1, 2022, I declare under penalty of perjury under the laws of the State  
6 of California that the foregoing is true and correct.

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**Walnut Creek, CA**